

SENATE JOURNAL
SIXTEENTH DAY
MORNING SESSION
FEBRUARY 5, 2008

The Senate was called to order at 10:10 a.m., with President John Valentine presiding.

Prayer – Pastor Eric Morgan, Living Waters Christian Fellowship Church

Pledge of Allegiance – Senator Greg Bell

Roll Call – All Senators present

**READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 8)**

COMMUNICATIONS FROM THE GOVERNOR

Mr. President:

February 4, 2008

This is to inform you that on February 4, 2008 I signed the following bills of the General Session of the Fifty–Seventh Legislature and have forwarded them to the Lieutenant Governor for filing.

- | | |
|-----------------|--|
| S.B. 1 | State Agency and Higher Educations Base Budget Appropriations |
| S.C.R. 4 | Concurrent Resolution Recognizing Utah's Nobel Prize Winner Mario Capecchi |
| | Jon M. Huntsman, Jr.
Governor |

COMMUNICATIONS FROM THE HOUSE

Mr. President:

February 4, 2008

The House passed, **S.B. 26**, FIRE MANAGEMENT AREAS, by Senator M. Dayton, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 26 was signed by the President of the Senate in open session. The bill will be enrolled and transmitted to the Governor.

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Mr. President:

February 4, 2008

The House passed, as amended, **H.B. 28**, HONORING HEROES SPECIAL GROUP LICENSE PLATE, by Representative P. Ray, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 41**, CAMPAIGN REPORT AMENDMENTS, by Representative S. Allen, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 49**, BUDGET RESERVE ACCOUNT AND DISASTER RECOVERY ACCOUNT AMENDMENTS, by Representative W. Harper, and it is transmitted for consideration; and

The House passed **H.B. 97**, COURT-ORDERED RESTITUTION FOR COSTS OF INCARCERATION, by Representative C. Oda, and it is transmitted for consideration; and

The House passed **H.B. 237**, ILLEGAL IMMIGRATION ENFORCEMENT ACT, by Representative G. Donnelson, and it is transmitted for consideration; and

The House passed **H.B. 238**, CAMPAIGN FINANCE FILING REQUIREMENTS, by Representative G. Hughes, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 275**, VEHICLE TOWING REQUIREMENTS, by Representative B. Daw, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 294**, APPROPRIATION LIMIT AMENDMENTS – FIRE SUPPRESSION, by Representative B. Ferry, and it is transmitted for consideration; and

The House passed **H.J.R. 7**, JOINT RESOLUTION RECOGNIZING UNREINFORCED MASONRY BUILDINGS, by Representative L. Wiley, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 28**, **H.B. 41**, **1st Sub. H.B. 49**, **H.B. 97**, **H.B. 237**, **H.B. 238**, **H.B. 275**, **1st Sub. H.B. 294**, and **H.J.R. 7** were read the first time and referred to the Rules Committee.

STANDING COMMITTEE REPORTS

Mr. President:

February 4, 2008

The Government Operations and Political Subdivisions Committee recommends **1st Sub. S.B. 20**, MUNICIPAL GOVERNMENT AMENDMENTS,

by Senator C. Walker, be replaced and favorably recommends **2nd Sub. S.B. 20**, MUNICIPAL GOVERNMENT AMENDMENTS; and

The Government Operations and Political Subdivisions Committee recommends **S.B. 45**, ACCOUNTING FOR COMPETITIVE ACTIVITIES OF LOCAL ENTITIES, by Senator H. Stephenson, be replaced and favorably recommends **1st Sub. S.B. 45**, INVENTORY FOR COMPETITIVE ACTIVITIES OF LOCAL ENTITIES; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 167**, ALCOHOLIC BEVERAGES ON ELECTION DAY, by Senator S. McCoy, with the following amendments:

1. Page 1, Lines 18 through 19:

18 Other Special Clauses:

19 {None} This bill coordinates with H.B. 344, Alcoholic Beverage Enforcement Provisions, by providing superseding amendments.

2. Page 47, Line 1436:

1436 only an immediate and unrecorded right of replay not exchangeable for value.

Section 7. Coordinating S.B. 167 with H.B. 344 -- Superseding amendments.

If this S.B. 167 and H.B. 344, Alcoholic Beverage Enforcement Provisions, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel in preparing the Utah Code database for publication shall have the amendments to:

- (1) Subsection 32A-4-106(9)(a) in this bill supersede the amendments to Subsection 32A-4-106(9)(a) in H.B. 344;
- (2) Subsection 32A-4-307(9)(a) in this bill supersede the amendments to Subsection 32A-4-307(9)(a) in H.B. 344; and
- (3) Subsection 32A-5-107(27)(a) in this bill supersede the amendments to Subsection 32A-5-107(27)(a) in H.B. 344; ; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 177**, LOCAL GOVERNMENT DISPOSAL OF REAL PROPERTY ACQUIRED BY EXACTION, by Senator W. Niederhauser, with the following amendments:

1. Page 1, Lines 14 through 17:

14 ► extends from five years to {15} 25 years the period of time that a county or municipality

15 may own surplus real property acquired by exaction in order for the county or

16 municipality to be subject to a requirement that the county or municipality offer to

17 reconvey the property to the original owner.

2. Page 2, Lines 36 through 39:

36 (2) (a) If a municipality plans to dispose of surplus real property that was acquired

37 under this section and has been owned by the municipality for less than [five] {15} 25 years, the

38 municipality shall first offer to reconvey the property, without receiving additional

39 consideration, to the person who granted the property to the municipality.

3. Page 2, Lines 54 through 57:

54 (2) (a) If a county plans to dispose of surplus real property under Section 17-50-312

55 that was acquired under this section and has been owned by the county for less than [five] {15} 25

56 years, the county shall first offer to reconvey the property, without receiving additional

57 consideration, to the person who granted the property to the county.
; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.J.R. 8**, JOINT RULES RESOLUTION – BASE BUDGET AMENDMENTS, by Senator W. Niederhauser; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 107**, EMERGENCY MANAGEMENT ADMINISTRATIVE COUNCIL, by Representative C. Oda.

Peter C. Knudson, Chair

Mr. President:

February 4, 2008

The Revenue and Taxation Committee recommends **S.B. 29**, TRUTH IN TAXATION AMENDMENTS, by Senator W. Niederhauser, be replaced and

favorably recommends **1st Sub. S.B. 29**, TRUTH IN TAXATION AMENDMENTS; and

The Revenue and Taxation Committee recommends **1st Sub. S.B. 48**, EQUALIZATION OF SCHOOL CAPITAL OUTLAY FUNDING, by Senator D. Eastman, be replaced and favorably recommends **2nd Sub. S.B. 48**, EQUALIZATION OF SCHOOL CAPITAL OUTLAY FUNDING; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 136**, APPORTIONMENT OF BUSINESS INCOME AMENDMENTS, by Senator W. Niederhauser, with the following amendments:

1. Page 2, Lines 47 through 54:

47 (3) (a) Subject to Subsection (3)(b), a receipt from the performance of a service is

48 considered to be in this state if { -½ }

49 {(i)} the purchaser of the service receives {the} a greater benefit of the service in this state {; or} than in any other state.

50 {(ii) the receipt is otherwise attributable to this state's marketplace. }

51 (b) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the

52 commission may by rule prescribe the circumstances under which { -½ }

53 {(i)} a purchaser of a service receives {the} a greater benefit of the service in this state {; or} than in any other state.

54 {(ii) a receipt is otherwise attributable to this state's marketplace. }

Wayne L. Niederhauser, Chair

Mr. President:

February 4, 2008

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.B. 80**, SKI AND SNOWBOARD EDUCATION, DEVELOPMENT, AND PROMOTION SPECIAL GROUP LICENSE PLATE, by Senator K. VanTassell, with the following amendments:

1. Page 8, Lines 215 through 217:

215 (1) renumber Section 63–38f–206 enacted in this S.B. 80 to
Section { 63M–1–205 } 63M–1–206 ; and

216 (2) change any internal cross references from Section
63–38f–206 to Section

217 { 63M–1–205 } 63M–1–206 ; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.B. 169**, RENEWABLE ENERGY ZONE TASK FORCE, by Senator D. Stowell, with the following amendments:

1. Page 3, Lines 66 through 68:

66 (b) identify { – and } a map and maintain in the
State Geographic Information Database the location of areas in the
state with the potential for

67 economically feasible electrical power generation from wind,
solar, geothermal, hydroelectric,

68 and biomass resources;

Mark B. Madsen, Chair

On motion of Senator Hickman, the committee reports were adopted.
2nd Sub. S.B. 20, 1st Sub. S.B. 45, S.B. 167, as amended, **S.B. 177**, as amended,
S.J.R. 8, H.B. 107, 1st Sub. S.B. 29, 2nd Sub. S.B. 48, S.B. 136, as amended,
S.B. 80, as amended, and **S.B. 169**, as amended, were placed on Second Reading
Calendar.

STANDING COMMITTEE REPORTS

Mr. President:

February 4, 2008

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 92**, REAL PROPERTY RECORDING AMENDMENTS, by Senator D. Stowell, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 27**, LIEUTENANT GOVERNOR POWERS – ADMINISTRATION OF OATHS, by Representative G. Donnelson, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 43, ALLOWANCE OF POLLING PLACES FOR EARLY VOTING**, by Representative G. Donnelson, and recommends it be considered read for the second time and placed on the Consent Calendar.

Peter C. Knudson, Chair

Mr. President:

February 4, 2008

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 20, ECONOMIC DEVELOPMENT INCENTIVES MODIFICATIONS**, by Representative S. Mascaro, et al, and recommends it be considered read for the second time and placed on the Consent Calendar.

Mark B. Madsen, Chair

On motion of Senator Hickman, the committee reports were adopted. **S.B. 92, H.B. 27, H.B. 43, and H.B. 20** were considered read the second time and placed on the Consent Calendar.

INTRODUCTION OF BILLS

S.B. 88, Uniform Model Registered Agent Act (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 220, Cause of Action for Defective Construction (C. Bramble), read the first time by short title and referred to the Rules Committee.

S.B. 223, Standards for Acceptance of School Transfer Applications (M. Madsen), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

S.B. 161, ADVANCE HEALTH CARE DIRECTIVE AMENDMENTS, was read the third time, explained by Senator Christensen, and passed on the following roll call:

Yeas, 25; **Nay**s, 0; **Absent**, 4.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dayton	Dmitrich	Eastman	Goodfellow
Greiner	Hickman	Hillyard	Jenkins
Jones	Killpack	Knudson	Madsen

Mayne	Niederhauser	Peterson	Stephenson
Stowell	Van Tassell	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Fife	McCoy	Romero
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S.B. 161 was transmitted to the House for consideration.

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S.B. 164, COMPUTER ASSISTED REMOTE HUNTING PROHIBITED, was read the third time, explained by Senator Waddoups, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dayton	Dmitrich	Eastman	Goodfellow
Greiner	Hickman	Hillyard	Jenkins
Jones	Killpack	Knudson	Madsen
Mayne	Niederhauser	Peterson	Romero
Stephenson	Stowell	Van Tassell	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Fife	McCoy
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S.B. 164 was transmitted to the House for consideration.

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S.B.77, REVISIONS TO GOVERNMENT RECORDS ACCESS MANAGEMENT ACT, was read the third time, explained by Senator Dayton, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Bramble	Buttars	Christensen	Davis
Dayton	Dmitrich	Eastman	Fife
Goodfellow	Greiner	Hickman	Hillyard
Jenkins	Jones	Killpack	Knudson

Madsen	Mayne	Niederhauser	Peterson
Romero	Stephenson	Stowell	Van Tassell
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bell	McCoy
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S.B. 77 was transmitted to the House for consideration.

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1st Sub. S.B. 158, GOVERNOR'S RURAL PARTNERSHIP BOARD AND RURAL COORDINATING COMMITTEE AMENDMENTS, was read the first, second and third time, explained by Senator Stowell, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Bell	Buttars	Christensen	Davis
Dayton	Dmitrich	Eastman	Fife
Goodfellow	Greiner	Hickman	Hillyard
Jones	Killpack	Knudson	Madsen
Mayne	Niederhauser	Peterson	Romero
Stephenson	Stowell	Van Tassell	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bramble	Jenkins	McCoy
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1st Sub. S.B. 158 was transmitted to the House for consideration.

THIRD READING CALENDAR

1st Sub. S.B. 36, CHARTER AND ONLINE SCHOOLS – PARTICIPATION IN EXTRACURRICULAR ACTIVITIES, was read the third time and explained by Senator Madsen. Senator Mayne commented and the bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dayton	Dmitrich	Eastman

Fife	Goodfellow	Greiner	Hillyard
Jenkins	Jones	Killpack	Knudson
Madsen	Mayne	McCoy	Niederhauser
Peterson	Romero	Stephenson	Stowell
Van Tassell	Waddoups	Walker	

Absent or not voting were: Senators
Hickman Valentine

1st Sub. S.B. 36 was transmitted to the House for consideration.

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S.B. 118, EDUCATION TRANSPORTATION AMENDMENTS, was read the third time, explained by Senator Peterson, and passed on the following roll call:

Yea, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dayton	Dmitrich	Eastman
Fife	Goodfellow	Greiner	Jenkins
Jones	Killpack	Knudson	Madsen
Mayne	McCoy	Niederhauser	Peterson
Romero	Stephenson	Stowell	Van Tassell
Waddoups	Walker		

Absent or not voting were: Senators
Hickman Hillyard Valentine

S.B. 118 was transmitted to the House for consideration.

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1st Sub. S.B. 53, USE OF INITIATIVE AND REFERENDUM FOR ADMINISTRATIVE LAND USE AND ZONING MATTERS, was read the third time, explained by Senator Goodfellow, and passed on the following roll call:

Yea, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dayton	Dmitrich	Eastman	Fife

Goodfellow	Greiner	Hickman	Hillyard
Jenkins	Jones	Killpack	Knudson
Madsen	Mayne	McCoy	Niederhauser
Peterson	Romero	Stephenson	Stowell
Van Tassell	Waddoups	Walker	

Absent or not voting were: Senators
Buttars Valentine

Senator Niederhauser declared a conflict of interest.

1st Sub. S.B. 53 was transmitted to the House for consideration.

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1st Sub. S.B. 54, INITIATIVE AND REFERENDUM PETITION AMENDMENTS, was read the third time, explained by Senator Goodfellow, and passed on the following roll call:

Yea, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dayton	Dmitrich	Eastman
Fife	Goodfellow	Greiner	Hickman
Hillyard	Jenkins	Jones	Killpack
Madsen	Mayne	McCoy	Niederhauser
Peterson	Romero	Stephenson	Stowell
Van Tassell	Waddoups	Walker	

Absent or not voting were: Senators
Knudson Valentine

1st Sub. S.B. 54 was transmitted to the House for consideration.

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S.B. 113, ACCESS TO RESEARCH WORKERS' PERSONAL INFORMATION, was read the third time, explained by Senator Bell, and passed on the following roll call:

Yea, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dayton	Dmitrich	Eastman

Fife	Goodfellow	Greiner	Hickman
Hillyard	Jenkins	Jones	Killpack
Knudson	Madsen	Mayne	McCoy
Niederhauser	Peterson	Romero	Stephenson
Stowell	Van Tassell	Waddoups	Walker

Absent or not voting was: Senator Valentine

S.B. 113 was transmitted to the House for consideration.

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S.B. 28, APPORTIONMENT OF BUSINESS INCOME, ATTRIBUTING SALES TO THE STATE, AND DEDUCTION OF NET LOSSES BY A UNITARY GROUP, was read the third time, explained by Senator Stephenson, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dayton	Dmitrich	Eastman
Fife	Goodfellow	Greiner	Hickman
Hillyard	Jenkins	Jones	Killpack
Knudson	Madsen	Mayne	McCoy
Niederhauser	Peterson	Romero	Stephenson
Stowell	Van Tassell	Waddoups	Walker

Absent or not voting was: Senator Valentine

S.B. 28 was transmitted to the House for consideration.

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On motion of Senator Stephenson, the circle was removed from **S.B. 39**, MATHEMATICS, SCIENCE, AND TECHNOLOGY EDUCATION TASK FORCE, and it was before the Senate. Senator Stephenson explained the bill. Senator Fife commented. The bill passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dayton	Dmitrich	Eastman	Fife

Goodfellow	Greiner	Hickman	Hillyard
Jenkins	Jones	Knudson	Madsen
Mayne	McCoy	Niederhauser	Peterson
Stephenson	Stowell	Van Tassell	Waddoups
Walker			

Voting in the negative was: Senator Romero

Absent or not voting were: Senators Buttars Killpack Valentine

S.B. 39 was transmitted to the House for consideration.

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On motion of Senator Stephenson, the circle was removed from **S.B. 35, DIFFERENTIATED PAY FOR TEACHERS**, and it was before the Senate. Senator Stephenson explained the bill.

Senator Stephenson proposed the following amendment:

1. Page 1, Lines 15 through 17

15 ► directs the Legislature to annually appropriate money for market incentives in the

16 form of additional compensation for mathematics and science teachers who :

• fill

17 positions for which there is a critical shortage of qualified personnel; and

• have a major or a course work equivalent of a major in the subject taught or a related academic area;

2. Page 1, Lines 21 through 23:

21 ► requires a school district or charter school to provide a salary supplement of \$5,000

22 to a teacher who :

• fills a mathematics or science position for which there is a critical

23 shortage of qualified personnel { } ; and

• has a major or a course work equivalent of a major in the subject taught or a related academic area.

3. Page 2, Lines 37 through 38:

37 shortage.

(1) As used in this section, "course work equivalent of a major" means 30 semester hours or 45 quarter hours of university or college work in a single academic area.

38 {-(1)} (2) Subject to future budget constraints, the Legislature shall annually appropriate

4. Page 2, Line 42:

42 {-(2)} (3) From monies appropriated under Subsection {-(1)} (2) the State Board of Education shall

5. Page 2, Line 45:

45 {-(3)} (4) The State Board of Education shall annually:

6. Page 2, Lines 50 through 55:

50 {-(4)} (5) A school district or charter school shall provide a salary supplement equal to the

51 amount specified in Subsection {-(5)} (6) to a teacher who:

52 (a) fills a mathematics or science position for which there is a critical shortage of

53 qualified personnel as identified by the board pursuant to Subsection {-(3)} (4) ; {and}

54 (b) {is designated NCLB highly qualified for the position under rules of the State Board

55 of Education} (i) has a bachelor's degree major, master's degree, or doctoral degree in:

(A) the subject taught; or

(B) a related academic area specified by the State Board of Education in rule; or

(ii) has:

(A) a bachelor's degree in any major; and

(B) a course work equivalent of a major in:

(I) the subject taught; or

(II) a related academic area as specified by the State Board of

Education in rule; and

(c)(i) is a new employee; or

(ii) has received a satisfactory rating or above on the teacher's most recent evaluation.

7. Page 2, Line 56 through Page 3, Line 66:

56 {-(5)} (6) (a) Beginning in fiscal year 2008–09, the salary supplement is \$5,000 for a person

57 who :

(i) teaches full-time in a mathematics or science position for which there is a critical shortage

58 of qualified personnel {-} ;and

(ii) meets the qualifications of Subsection (5)(b) for each of the courses taught.

59 {-(b) A person who teaches part-time in a mathematics or science position for which

60 there is a critical shortage of qualified personnel shall receive a partial salary supplement based

61 on the number of hours worked in the position. }

(b) A partial salary supplement shall be awarded to a teacher who meets the qualifications of Subsections (5)(a) and (b) for some of the courses taught, based upon the number of hours of qualifying courses taught.

62 {-(6)} (7) The salary supplement is part of the teacher's base pay and is awarded to the teacher

63 each year the teacher :

(a) is employed by the school district or charter school {-} ;and

(b) fills a mathematics or science position that had qualified for a salary supplement under Subsection (4).

64 (7) The State Board of Education {may} shall make rules to administer this section, in

65 accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act.

66 Section 2. Appropriation.

Senator Stephenson's motion to amend passed on a voice vote. Senator Mayne commented. The bill passed on the following roll call:

Yeas, 19; Nays, 7; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Dayton	Eastman	Greiner	Hillyard
Jenkins	Jones	Knudson	Madsen
Niederhauser	Peterson	Stephenson	Stowell
Van Tassell	Waddoups	Walker	

Voting in the negative were: Senators

Davis	Dmitrich	Fife	Goodfellow
Mayne	McCoy	Romero	

Absent or not voting were: Senators

Hickman	Killpack	Valentine
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S.B. 35 was transmitted to the House for consideration.

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On motion of Senator Stephenson, the circle was removed from **S.B. 41, EXTENDED SCHOOL YEAR INCENTIVE**, and it was before the Senate. Senator Stephenson explained the bill. The bill passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dayton	Dmitrich	Eastman
Fife	Goodfellow	Greiner	Hillyard
Jenkins	Jones	Killpack	Madsen
McCoy	Niederhauser	Peterson	Romero
Stephenson	Stowell	Van Tassell	Waddoups
Walker			

Voting in the negative was: Senator

Mayne

Absent or not voting were: Senators

Hickman	Knudson	Valentine
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S.B. 41 was transmitted to the House for consideration.

SECOND READING CALENDAR

S.B. 105, JUDICIAL PERFORMANCE EVALUATION COMMISSION, was read the second time. Senator Buttars explained the bill.

Senator Buttars proposed the following amendment:

1. Page 20, Line 615 through Page 21, Line 617

615 (c) The commission may elect to make no recommendation on whether the voters

616 should retain a judge if the commission determines that the information concerning the judge is

617 { not sufficiently clear } insufficient to make a recommendation.

2. Page 21, Lines 618 through 621:

618 (d) (i) If the commission deviates from a presumption for or against recommending the

619 voters retain a judge or elects to make no recommendation on whether the voters should retain

620 a judge, the commission shall provide a detailed explanation of the reason for that deviation or

621 election in the commission's report under Section 78–63–206.

(ii) If the commission makes no recommendation because of a tie vote, the commission shall note that fact in the commission's report.

3. Page 22, Line 665:

665 (iv) grasp of the practical impact on the parties of the judge's rulings, including the effect of delay and increased litigation expense :

4. Page 23, Lines 679 through 681:

679 { (8) The survey shall also include a question that inquires whether the respondent would

680 recommend that the judge be retained. }

681 { (9) } (8) (a) If the commission determines that a certain survey question or topic is not

5. Page 23, Lines 687 through 688:

687 { (10) With the exception of the question concerning whether a respondent would

688 recommend that the judge be retained, the } (9) The survey shall allow respondents to indicate responses

6. Page 23, Line 694:

694 {(11) } (10) The commission shall compile and make available to each judge that judge's

7. Page 23, Line 696:

696 {(12) } (11) The commission may make rules in accordance with Title 63, Chapter 46a, Utah

8. Page 23, Lines 704 through 708:

704 (b) the judge receive a minimum score on the judicial performance survey as follows:

705 (i) an average score of at least a 3.0 on at least 80% of the questions, excluding litigant

706 and witness respondents, for questions scored on the numerical scale; and

707 (ii) { affirmative responses by at least 70% of respondents, excluding litigant and witness

708 respondents, to all questions that do not use the numerical scale } if the commission includes a question on the survey that does not use the numerical scale, the commission shall establish the minimum performance standard for all questions, excluding any question to litigant and witness respondents, that do not use the numerical scale to be substantially equivalent to the standard required under Subsection (1)(b)(i) .

9. Page 25, Lines 744 through 746:

744 (c) information concerning any formal or informal discipline against a judge that is not

745 subject to restrictions on disclosure under Title {78 } 78A , Chapter {8 } 11 , Judicial Conduct Commission

746 { and Supreme Court Oversight of Judges } :

Senator Buttars' motion to amend passed on a voice vote. Senators Bell, Jenkins, and Waddoups commented. The bill passed second reading on the following roll call:

Yeas, 28; **Nay**s, 0; **Absent**, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dayton	Dmitrich	Eastman
Fife	Goodfellow	Greiner	Hickman
Hillyard	Jenkins	Jones	Killpack
Knudson	Madsen	Mayne	McCoy
Niederhauser	Peterson	Romero	Stephenson
Stowell	Van Tassell	Waddoups	Walker

Absent or not voting was: Senator
Valentine

* * *

On motion of Senator Niederhauser, the circle was removed from **2nd Sub. H.B. 77, PERSONAL PROPERTY TAX AMENDMENTS**, and it was before the Senate. Senator Niederhauser explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; **Nay**s, 0; **Absent**, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Greiner	Hickman	Hillyard
Jenkins	Jones	Killpack	Knudson
Madsen	Mayne	McCoy	Niederhauser
Peterson	Romero	Stephenson	Stowell
Van Tassell	Waddoups		Walker

Absent or not voting were: Senators
Dayton Valentine

* * *

S.B. 138, UTAH SUBSTANCE ABUSE AND ANTI-VIOLENCE COORDINATING COUNCIL AMENDMENTS, was read the second time. Senator Buttars explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; **Nay**s, 0; **Absent**, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Greiner	Hillyard	Jenkins
Jones	Killpack	Knudson	Madsen
Mayne	McCoy	Niederhauser	Peterson
Romero	Stephenson	Stowell	Van Tassell
Waddoups	Walker		

Absent or not voting were: Senators

Dayton	Hickman	Valentine	
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S.B. 150, CRIMINAL PENALTIES REVISIONS, was read the second time. Senator Jenkins explained the bill. Senators Greiner and McCoy commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dayton	Dmitrich	Fife
Goodfellow	Greiner	Hillyard	Jenkins
Jones	Killpack	Knudson	Madsen
Mayne	McCoy	Niederhauser	Peterson
Romero	Stephenson	Stowell	Van Tassell
Waddoups	Walker		

Absent or not voting were: Senators

Eastman	Hickman	Valentine	
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S.B. 152, PRESUMPTIVE PERSONAL REPRESENTATIVE, was read the second time. Senator Bell explained the bill. Senator Waddoups commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Dayton	Dmitrich	Eastman	Fife
Goodfellow	Greiner	Hickman	Hillyard

Jenkins	Jones	Killpack	Knudson
Madsen	Mayne	McCoy	Niederhauser
Peterson	Romero	Stephenson	Stowell
Van Tassell	Waddoups	Walker	

Absent or not voting were: Senators Davis Valentine

* * *

S.B. 132, CONSUMER CREDIT PROTECTION ACT – ATTORNEY GENERAL POWERS, was read the second time. Senator Walker explained the bill.

Senator Walker proposed the following amendment:

Senate Standing Committee
January 28, 2008

1. Page 2, Line 49:
After "person" delete "who is found" and insert "alleged"

Senator Walker's motion to amend passed on a voice vote. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Bell	Bramble	Davis	Dayton
Dmitrich	Eastman	Fife	Goodfellow
Greiner	Hickman	Hillyard	Jenkins
Jones	Killpack	Knudson	Madsen
Mayne	McCoy	Niederhauser	Romero
Stephenson	Stowell	Van Tassell	Waddoups
Walker			

Absent or not voting were: Senators

Buttars Christensen Peterson Valentine

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On motion of Senator Bramble, and at 11:50 a.m., the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 5, 2008

The House concurred in the Senate amendments and passed **1st Sub. H.B. 24**, AMENDMENTS TO UTAH DIGITAL HEALTH SERVICE COMMISSION ACT, by Representative R. Menlove, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. H.B. 24, was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

Mr. President: February 5, 2008

The House passed, as substituted and amended, **1st Sub. H.B. 48**, MOBILE HOME OWNERS' RIGHTS, by Representative P. Riesen, et al, and it is transmitted for consideration; and

The House passed **H.B. 83**, SECURITIES AMENDMENTS, by Representative J. Bird, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 86**, FUNDING OF INMATE POSTSECONDARY EDUCATION, by Representative J. Draxler, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 106**, CLEAN AIR AND EFFICIENT VEHICLE TAX INCENTIVES, by Representative R. McGee, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 135**, GRANTS FROM DEPARTMENT OF COMMUNITY AND CULTURE, by Representative S. Allen, and it is transmitted for consideration; and

The House passed **H.B. 248**, AMENDMENTS TO SALES AND USE TAX EXEMPTION FOR CERTAIN PROPERTY INCORPORATED INTO REAL PROPERTY, by Representative J. Dougall, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 251**, SALES AND USE TAX REVISIONS, by Representative J. Dougall, and it is transmitted for consideration; and

The House passed **H.B. 259**, GOLD STAR FAMILY SPECIAL GROUP LICENSE PLATE AMENDMENTS, by Representative C. Oda, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 291**, OFF-HIGHWAY VEHICLE AMENDMENTS, by Representative M. Noel, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **1st Sub. H.B. 48**, **H.B. 83**, **H.B. 86**, **H.B. 106**, **1st Sub. H.B. 135**, **H.B. 248**, **H.B. 251**, **H.B. 259**, and **H.B. 291** were read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate:

February 5, 2008

The Rules Committee recommends assignment of the following bills to standing committees:

Business and labor Committee

- | | |
|-----------------|--|
| S.B. 88 | Uniform Model Registered Agent Act (Sen. L. Hillyard) |
| S.B. 189 | Independent Contractor Database (Sen. D. Eastman) |
| S.B. 220 | Cause of Action for Defective Construction
(Sen. C. Bramble) |
| H.B. 26 | Notary Public Revisions (Rep. G. Donnelson)
(Sen. P. Knudson) |

Education Committee

- | | |
|-----------------|--|
| S.B. 190 | Public Classroom Displays (Sen. A. Christensen) |
| S.B. 223 | Standards for Acceptance of School Transfer Applications
(Sen. M. Madsen) |

Government Operations and Political Subdivisions Committee

- | | |
|-------------------------|--|
| S.B. 193 | Election Law Changes (Sen. P. Knudson) |
| H.B. 41 | Campaign Report Amendments (Rep. S. Allen)
(Sen. P. Knudson) |
| H.B. 44 | Declaration of Candidacy Revisions (Rep. G. Donnelson)
(Sen. P. Knudson) |
| 1st Sub. H.B. 49 | Budget Reserve Account and Disaster Recovery Account
Amendments (Rep. W. Harper) (Sen. L. Hillyard) |
| H.B. 238 | Campaign Finance Filing Requirements (Rep. G. Hughes)
(Sen. S. Killpack) |

Health and Human Services Committee

- H.B. 265** Office of Recovery Services – Electronic Funds Transfer
(Rep. P. Ray) (Sen. C. Walker)

Judiciary, Law Enforcement, and Criminal Justice Committee

- S.B. 191** Judicial Conduct Commission Amendments
(Sen. G. Davis)
- S.B. 192** Sex Offense Amendments (Sen. J. Greiner)
- S.B. 194** Metal Theft Amendments and Penalties (Sen. J. Greiner)
- H.B. 33** Waivers of Immunity – Exceptions (Rep. G. Hughes)
(Sen. D. Eastman)
- H.B. 65** Crime of Strangulation or Smothering (Rep. J. Seelig)
(Sen. S. Killpack)
- H.B. 97** Court-ordered Restitution for Costs of Incarceration
(Rep. C. Oda) (Sen. J. Greiner)

Natural Resources, Agriculture and Environment Committee

- 1st Sub. H.B. 294** Appropriation Limit Amendments – Fire Suppression
(Rep. B. Ferry) (Sen. D. Stowell)

Transportation, Public Utilities and Technology Committee

- S.B. 84** Net Metering Programs (Sen. K. VanTassell)
- H.B. 28** Honoring Heroes Special Group License Plate
(Rep. P. Ray) (Sen. C. Walker)
- H.B. 144** Motor Vehicle Insurance Amendments (Rep. T. Kiser)
(Sen. K. VanTassell)

Workforce Services and Community and Economic Development Committee

- H.J.R. 1** Resolution Addressing International Trade Issues
(Rep. S. Allen) (Sen. M. Madsen)
Bill Hickman
Rules Committee Chair

Report filed. On motion of Senator Eastman, the committee report was adopted.

STANDING COMMITTEE REPORTS

Mr. President:

February 5, 2008

The Business and Labor Committee reports a favorable recommendation on **S.B. 79, SMALL BUSINESS ACCESS AMENDMENTS**, by Senator R. Romero; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 171, REPEAL OF CERTAIN REPORTING BY FINANCIAL INSTITUTIONS**, by Senator K. VanTassell; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 176, UNEMPLOYMENT INSURANCE CONTRIBUTION RATES AMENDMENTS**, by Senator H. Stephenson.

Kevin T. Van Tassell, Chair

Mr. President: February 5, 2008

The Health and Human Services Committee reports a favorable recommendation on **S.B. 70, EMOTIONAL SUPPORT ANIMALS**, by Senator S. McCoy, with the following amendments:

1. Page 5, Line 127 through Page 6, Line 153:

{127 (4) "Veterinarian" means a person:

128 (a) licensed as a veterinarian in Utah under Title 58, Occupations and Professions; or

129 (b) licensed and in good standing as a veterinarian in another state.}

130 Section 5. Section 62A-5b-202 is enacted to read:

131 62A-5b-202. Documentation of emotional support animal.

132 {(1)} A mental health therapist may provide a person with a disability with

133 documentation that:

134 {(a)} (1) is signed by the mental health therapist;

135 {(b)} (2) is dated; and

136 {(c)} (3) certifies that in the opinion of the mental health therapist:

137 {(i)} (a) the person has a disability as defined in Section 62A-5b-102; and

138 {(ii)} (b) the person with the disability;

139 {(A)} (i) needs a particular type of emotional support animal; and

140 {(B)} (ii) needs the emotional support animal in a particular location identified in Section

141 62A-5b-103, except for restaurants or hospitals.

{ 142 (2) (a) A veterinarian may provide a person with a disability with documentation that:

143 (i) is signed by the veterinarian;

144 (ii) is dated; and

145 (iii) states that:

146 (A) the emotional support animal has received all recommended vaccinations; and

147 (B) in the opinion of the veterinarian, the emotional support animal is socialized or

148 trained to behave appropriately in the particular locations in which the mental health therapist

149 has certified the emotional support animal is needed.

150 (b) A veterinarian who provides a statement under Subsection (2)(a) is not liable for

151 the actions of the animal that is the subject of the statement issued under Subsection (2)(a).

152 (3) The documentation authorized by this section is valid for one year from the date the

153 document is signed.}; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 74**, HEALTH CARE PROVIDER ACCESS, by Senator D. C. Buttars; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 121**, ACCESS TO QUALIFIED HEALTH CARE PROVIDERS, by Senator D. C. Buttars; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 174**, DENTIST AND DENTAL HYGIENIST PRACTICE ACT AMENDMENTS, by Senator P. Knudson; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 175**, DEATH CERTIFICATE PROCEDURE AMENDMENTS, by Senator J. Greiner, with the following amendments:

1. Page 1, Line 27 through Page 2, Line 28:

27 AMENDS:

28 26-2-13, as last amended by Laws of Utah 2007, Chapter 32
26-2-16, as last amended by Laws of Utah 2006, Chapter 56

2. Page 4, Line 107:

107 (ii) identify the court and date of the order.

Section 2. Section 26-2-16 is amended to read:

26-2-16. Certificate of death -- Duties of a custodial funeral service director or agent -- Medical certification -- Records of funeral service director -- Information filed with local registrar -- Unlawful signing of certificate of death.

(1) The custodial funeral service director shall sign the certificate of death prior to any disposition of a dead body or dead fetus.

(2) The custodial funeral service director or an agent of the custodial funeral service director shall:

(a) obtain personal and statistical information regarding the decedent from the available persons best qualified to provide the information;

(b) present the certificate of death to the attending physician, if any, or to the medical examiner who shall certify the cause of death and other information required on the certificate of death;

(c) provide the address of the custodial funeral service director; and

(d) certify the date and place of burial { ; and }

(e) file the certificate of death with the state or local registrar } .

(3) A funeral service director, embalmer, or other person who removes from the place of death or transports or is in charge of final disposal of a dead body or dead fetus, shall keep a record identifying the dead body or dead fetus, and containing information pertaining to receipt, removal, and delivery of the dead body or dead fetus as prescribed by department rule.

(4) (a) Not later than the tenth day of each month, every licensed funeral service establishment shall send to the local registrar and the department a list of the information required in Subsection (3) for each casket furnished and for funerals performed when no casket was furnished, during the preceding month.

(b) The list described in Subsection (4)(a) shall be in the form prescribed by the state registrar.

(5) Any person who intentionally signs the portion of a

certificate of death that is required to be signed by a funeral service director under Subsection (1) is guilty of a class B misdemeanor, unless the person:

- (a) is a funeral service director; and
- (b) is employed by a licensed funeral establishment.

Renumber remaining sections accordingly.

D. Chris Buttars, Chair

Mr. President:

February 5, 2008

The Education Committee reports a favorable recommendation on **S.B. 71, SCHOOL DISTRICT AMENDMENTS**, by Senator C. Walker, with the following amendments:

1. Page 1, Lines 23 through 24:

23 allocation of school district property;
► modifies the required content of an inventory that an existing district is required to provide;
► requires transition teams to consider the value of school buildings and associated property in making the allocation of other existing district property;

24 ► requires an existing school district to make money available to {—a—} the remaining district and the new district,

2. Page 2, Lines 35 through 36:

35 Other Special Clauses:

36 {—None—} This bill provides an immediate effective date.

3. Page 12, Line 339:

339 a new school district, to elect] date , to elect :

4. Page 14, Line 406:

406 (i) prepare an inventory of the existing district's {—assets—} :
(A) property, both tangible and intangible, real and personal; and
(B) liabilities; and

5. Page 14, Lines 412 through 414:

412 district and the new district in accordance with Subsection (4)(c)(ii)[•];

413 (II) prepare a written report detailing how the existing district's
property { is } , assets, and liabilities are to be

414 allocated, including:

6. Page 15, Lines 438 through 440:

438 (Bb) the school district board of the new district.

439 (ii) Subject to Subsection (4)(c)(iii), all property [of] , assets,
and liabilities that the existing district owns on

440 the allocation date, both tangible and intangible, real and personal,
shall be allocated between

7. Page 15, Lines 449 through 450:

449 (D) any money made available for the use of the new district
under Subsection (5);

(E) the appraised or agreed value of school buildings and associated
property allocated to the remaining district and the new district under
Subsection (4)(c)(iii)(A); and

450 [(D)] {-(E)} (F) any other factors that the transition
teams consider relevant in dividing the

8. Page 16, Line 486 through Page 17, Line 504:

486 (5) (a) Within 30 days after the canvass date, the existing district
shall make half of its General Fund, to a maximum of
\$20,000,000, available

487 for the { new district's } use { -½ } of the remaining
district and the new district, as provided in this Subsection (5).

488 { -(i) \$2,500,000, if the balance of the existing district's fund
used for school district

489 operations is \$5,000,000 or more on the allocation date; or

490 (ii) 50% of the balance of the existing district's fund used for
school district operations,

491 if the balance of that fund on the allocation date is less than
\$5,000,000. }

492 (b) The existing district shall make the money
{ made } under Subsection (5)(a) available to the
remaining district and the new district { under Subsection

(5)(a): } proportionately based on student population.

(c) The money made available under Subsection (5)(a):

493 (i) shall be used to further the purposes of this part; and

494 (ii) may be accessed and spent by:

495 (A) before July 15 of the year following the creation election date:

(I) for the remaining district, the members of the existing district board who reside within the area of the remaining district, in consultation with:

(Aa) the legislative bodies of all municipalities in the area of the remaining district; and

(Bb) the legislative body of the county in which the remaining district is located, if the remaining district includes one or more unincorporated areas of the county; and

496 {-(I)-} (II) for the existing district:

(Aa) the legislative body of the city in which the new district was created or the

497 legislative body's designee, if the new district is located entirely within the boundary of a single

498 city; or

499 {-(II)} (Bb) the legislative bodies of all interlocal agreement participants or the legislative

500 bodies' designee, if the new district was created as a result of an interlocal agreement under

501 Subsection (2); {or } and

502 (B) {the school district board of the new school district, } on or after July 15 of the year

503 following the creation election date { - } :

(I) for the remaining district, the school district board of the remaining district; and

(II) for the new district, the school district board of the new district.

504 (6) (a) The existing district shall transfer title or, if applicable, partial title of property

9. Page 18, Line 527:

527 (ii) the school district board of the new district.

Section 5. Effective date.

If approved by two-thirds of all the members elected to each house,
this bill takes effect upon approval by the governor, or the day following
the constitutional time limit of Utah Constitution Article VII, Section 8,
without the governor's signature, or in the case of a veto, the date of veto
override. ; and

The Education Committee reports a favorable recommendation on **S.B. 91, BENEFITS TO AMERICAN BOARD CERTIFIED TEACHERS**, by Senator M. Madsen.

Margaret Dayton, Chair

On motion of Senator Eastman, the committee reports were adopted. **S.B. 79, S.B. 171, S.B. 176, S.B. 70**, as amended, **S.B. 74, S.B. 121, S.B. 174, S.B. 175**, as amended, **S.B. 71**, as amended, and **S.B. 91** were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

S.B. 85, Water Rights Board (D. Stowell), read the first time by short title and referred to the Rules Committee.

S.B. 88, Uniform Model Registered Agent Act (L. Hillyard), read the first time by short title and referred to the Rules Committee.

SECOND READING CALENDAR

S.B. 149, MOTOR VEHICLE LIABILITY POLICY MINIMUM LIMITS, was read the second time.

On motion of Senator Killpack, the bill was circled.

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S.B. 37, HOME SCHOOL AND EXTRA CURRICULAR ACTIVITIES AMENDMENTS, was read the second time.

On motion of Senator Madsen, the bill was circled.

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S.B. 61, FINANCIAL LITERACY EDUCATION, was read the second time. Senator Jones explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Bell	Buttars	Christensen	Davis
Dayton	Dmitrich	Eastman	Fife
Goodfellow	Greiner	Hillyard	Jenkins
Jones	Killpack	Knudson	Madsen
Mayne	Niederhauser	Romero	Stowell
Van Tassell	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bramble	Hickman	McCoy	Peterson
Stephenson			

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S.B. 103, HIGHER EDUCATION ENHANCEMENTS, was read the second time. Senator Stowell explained the bill. The bill passed second reading on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Bell	Buttars	Christensen	Davis
Dayton	Dmitrich	Eastman	Fife
Goodfellow	Greiner	Hillyard	Jones
Knudson	Mayne	Niederhauser	Romero
Stephenson	Stowell	Van Tassell	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bramble	Hickman	Jenkins	Killpack
Madsen	McCoy	Peterson	

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On motion of Senator Dayton, under suspension of the rules, **S.C.R. 2, RESOLUTION PROMOTING LEGISLATORS BACK TO SCHOOL PROGRAM,** was considered read the second and third times. Senator Dayton explained the bill. Senator Waddoups commented. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Bell	Buttars	Christensen	Davis
Dayton	Dmitrich	Eastman	Fife
Goodfellow	Greiner	Hickman	Hillyard
Jones	Killpack	Knudson	Mayne
Niederhauser	Romero	Stephenson	Van Tassell
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bramble	Jenkins	Madsen	McCoy
Peterson	Stowell		

S.C.R. 2 was transmitted to the House.

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S.B. 125, HIGH SCHOOL VOTER REGISTRATION, was read the second time. Senator Van Tassell explained the bill. Senator Valentine commented. The bill passed second reading on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Bell	Buttars	Christensen	Davis
Dayton	Dmitrich	Eastman	Fife
Goodfellow	Greiner	Hillyard	Jones
Killpack	Knudson	Mayne	Niederhauser
Romero	Stephenson	Stowell	Van Tassell
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bramble	Hickman	Jenkins	Madsen
McCoy	Peterson		

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S.B. 63, ADULT PROTECTIVE SERVICES AMENDMENTS, was read the second time. Senator Van Tassell explained the bill. The bill passed second reading on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Bell	Buttars	Christensen	Davis
Dayton	Eastman	Fife	Goodfellow

Greiner	Hillyard	Jones	Killpack
Knudson	Mayne	Niederhauser	Peterson
Romero	Stephenson	Stowell	Van Tassell
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bramble	Dmitrich	Hickman	Jenkins
Madsen	McCoy		

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S.B. 65, SOLICITING GANG MEMBERS PROHIBITED, was read the second time. Senator Greiner explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Bell	Buttars	Christensen	Davis
Dayton	Dmitrich	Eastman	Fife
Goodfellow	Greiner	Hillyard	Jones
Killpack	Knudson	Mayne	McCoy
Niederhauser	Peterson	Romero	Stephenson
Stowell	Van Tassell	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Hickman	Jenkins	Madsen
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S.B. 73, WRONGFUL DEATH AMENDMENTS, was read the second time.

On motion of Senator McCoy, the bill was circled.

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S.B. 75, PROHIBITING GANG ACTIVITY, was read the second time. Senator Greiner explained the bill. Senator Romero commented. The bill passed second reading on the following roll call:

Yeas, 20; Nays, 4; Absent, 5.

Voting in the affirmative were: Senators

Bell	Buttars	Christensen	Davis
Dayton	Dmitrich	Eastman	Goodfellow

Greiner	Hillyard	Jones	Knudson
Madsen	Mayne	Niederhauser	Peterson
Van Tassell	Waddoups	Walker	Valentine

Voting in the negative were: Senators
Fife McCoy Romero Stephenson

Absent or not voting were: Senators
Bramble Hickman Jenkins Killpack
Stowell

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S.B. 98, LICENSING OF SECURITY SERVICES, was read the second time. Senator Eastman explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Bell	Buttars	Christensen	Davis
Dayton	Dmitrich	Eastman	Fife
Goodfellow	Greiner	Hillyard	Jones
Knudson	Madsen	Mayne	McCoy
Niederhauser	Peterson	Romero	Stephenson
Van Tassell	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bramble	Hickman	Jenkins	Killpack
Stowell			

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S.B. 108, OFFSET OF WORKERS' COMPENSATION AND SOCIAL SECURITY, was read the second time.

On motion of Senator Eastman, the bill was circled.

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2nd Sub. S.B. 134, MORTGAGE FRAUD ACT, was read the second time.

On motion of Senator Eastman, the bill was circled.

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S.B. 151, TRADEMARK PROTECTION ACT AMENDMENTS, was read the second time. Senator Eastman explained the bill. Senator McCoy declared a conflict of interest. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Bell	Buttars	Christensen	Davis
Dayton	Dmitrich	Eastman	Fife
Goodfellow	Greiner	Hickman	Hillyard
Jones	Knudson	Madsen	Mayne
McCoy	Niederhauser	Peterson	Romero
Stephenson	Stowell	Van Tassell	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bramble	Jenkins	Killpack
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S.B. 159, WORKERS' COMPENSATION AMENDMENTS, was read the second time. Senator Eastman explained the bill. Senator Valentine commented. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dayton	Dmitrich	Eastman
Fife	Goodfellow	Greiner	Hickman
Hillyard	Jenkins	Jones	Knudson
Madsen	Mayne	McCoy	Niederhauser
Peterson	Romero	Stephenson	Stowell
Van Tassell	Waddoups	Walker	Valentine

Absent or not voting was: Senator

Killpack

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S.B. 67, PROTECTION OF CONSTITUTIONALLY GUARANTEED ACTIVITIES IN CERTAIN PRIVATE VENUES, was read the second time.

Senator Madsen explained the bill. Senators Bell, Jones, Mayne, and Fife commented. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 3; Absent, 2.

Voting in the affirmative were: Senators

Bramble	Buttars	Christensen	Davis
Dayton	Dmitrich	Eastman	Fife
Goodfellow	Greiner	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	Niederhauser	Peterson	Stephenson
Stowell	Waddoups	Walker	Valentine

Voting in the negative were: Senators

Bell	Jones	Romero
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Absent or not voting were: Senators

McCoy	Van Tassell
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S.B. 145, STATE FAMILY DAY HOLIDAY, was read the second time. Senator Hickman explained the bill. Senators Waddoups, Eastman, Knudson, Jones, Romero, and Greiner commented. The bill passed second reading on the following roll call:

Yeas, 16; Nays, 10; Absent, 3.

Voting in the affirmative were: Senators

Bramble	Davis	Dayton	Dmitrich
Eastman	Fife	Goodfellow	Greiner
Hickman	Hillyard	Jenkins	Knudson
Madsen	Mayne	Peterson	Valentine

Voting in the negative were: Senators

Bell	Christensen	Jones	Killpack
Niederhauser	Romero	Stephenson	Stowell
Waddoups	Walker		

Absent or not voting were: Senators

Buttars	McCoy	Van Tassell
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S.B. 147, CANDIDATE FILING REQUIREMENTS, was read the second time.

On motion of Senator Knudson, the bill was circled.

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On motion of Senator Hillyard, under suspension of the rules, **S.B. 156**, UTAH RELOCATION ASSISTANCE ACT AMENDMENTS, was considered read the second and third times. Senator Hillyard explained the bill. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dayton	Dmitrich	Eastman	Fife
Goodfellow	Greiner	Hickman	Hillyard
Jenkins	Jones	Killpack	Knudson
Madsen	Mayne	Niederhauser	Peterson
Romero	Stephenson	Stowell	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	McCoy	Van Tassell
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S.B. 156 was transmitted to the House.

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On motion of Senator Hickman, the circle was removed from **S.B. 108**, OFFSET OF WORKERS' COMPENSATION AND SOCIAL SECURITY, and it was before the Senate. Senator Hickman explained the bill. Senator Dmitrich commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dayton	Dmitrich	Eastman	Fife
Goodfellow	Greiner	Hickman	Hillyard
Jenkins	Jones	Killpack	Knudson
Madsen	Mayne	Niederhauser	Peterson
Romero	Stephenson	Stowell	Van Tassell
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	McCoy
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On motion of Senator Killpack, the circle was removed from **2nd Sub. S.B. 134**, MORTGAGE FRAUD ACT, and it was before the Senate. Senator Killpack explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dayton	Dmitrich	Fife	Goodfellow
Greiner	Hickman	Hillyard	Jenkins
Jones	Killpack	Knudson	Madsen
Mayne	Niederhauser	Peterson	Romero
Stephenson	Stowell	Van Tassell	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Eastman	McCoy
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S.B. 76, STATE PARK AND RECREATION AMENDMENTS, was read the second time. Senator Goodfellow explained the bill. Senator Waddoups commented. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Davis	Dayton	Dmitrich	Eastman
Fife	Goodfellow	Greiner	Hickman
Hillyard	Jenkins	Jones	Killpack
Knudson	Madsen	Mayne	Niederhauser
Peterson	Romero	Stephenson	Stowell
Van Tassell	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bell	Bramble	Buttars	Christensen
McCoy			

* * *

On motion of Senator Davis, the circle was removed from **S.B. 17**, CHILD ABUSE AND NEGLECT REGISTRY – MANAGEMENT AND LICENSING INFORMATION SYSTEMS AMENDMENTS, and it was before the Senate.

Senator Eastman proposed the following amendment:

1. Page 1, Line13–14:
After “and the” delete “Juvenile Court Act of 1996” and insert
“Government Records Access and Management Act”
2. Page 1, Lines 18–27:
Delete lines 18 through 27
3. Page 1, Line 27:
After line 27 insert:
“► modifies provisions related to access to records in the Management Information System;
► establishes a procedure for providing an alleged perpetrator of child abuse, neglect, or dependency with notice and an opportunity to challenge:
 - a finding of unsupported or without merit by the division; and
 - the listing of the finding in the Management Information System;”
4. Page 2, Lines 39–40:
Delete Lines 39 through 40
5. Page 2, Line 40:
After line 40 insert:
“62A–4a–412, as last amended by Laws of Utah 2006, Chapters 77 and 281”
6. Page 2, Lines 41–42:
Delete lines 41 through 42
7. Page 2, Line 43:
After line 43 insert:
“63–2–202, as last amended by Laws of Utah 2005, Chapter 201
63–2–304, as last amended by Laws of Utah 2007, Chapters 66 and 352”
8. Page 2, Line 44:
After line 44 insert:
“ 78–3a–314, as last amended by Laws of Utah 2007, Chapter 152 “
9. Page 2, Lines 44–47:
Delete lines 44–47
10. Pages 2–7, Lines 50–204:
Delete lines 50 through 204

11. Pages 7–13, Lines 205–381:
Delete lines 205 through 381
12. Page 7, Line 204:
After line 204 insert:
“Section 1. Section 62A–4a–412 is amended to read:
62A–4a–412. Reports and information confidential.
(1) Except as otherwise provided in this chapter, reports made pursuant to this part, as well as any other information in the possession of the division obtained as the result of a report are private, protected, or controlled records under Title 63, Chapter 2, Government Records Access and Management Act, and may only be made available to:
(a) a police or law enforcement agency investigating a report of known or suspected child abuse or neglect;
(b) a physician who reasonably believes that a child may be the subject of abuse or neglect;
(c) an agency that has responsibility or authority to care for, treat, or supervise a minor who is the subject of a report;
(d) a contract provider that has a written contract with the division to render services to a minor who is the subject of a report;
(e) [any] except as provided in Subsection 63–2–202(10), a subject of the report, the natural parents of the child, and the guardian ad litem;
(f) a court, upon a finding that access to the records may be necessary for the determination of an issue before the court, provided that in a divorce, custody, or related proceeding between private parties, the record alone is:
(i) limited to objective or undisputed facts that were verified at the time of the investigation; and
(ii) devoid of conclusions drawn by the division or any of the division’s workers on the ultimate issue of whether or not a person’s acts or omissions constituted any level of abuse or neglect of another person;
(g) an office of the public prosecutor or its deputies in performing an official duty;
(h) a person authorized by a Children’s Justice Center, for the purposes described in Section 67–5b–102;
(i) a person engaged in bona fide research, when approved by the director of the division, if the information does not include names and addresses;
(j) the State Office of Education, acting on behalf of itself or on behalf of a school district, for the purpose of evaluating whether an individual should be permitted to obtain or retain a license as an educator or serve as an employee or volunteer in a school, limited to information with

substantiated findings involving an alleged sexual offense, an alleged felony or class A misdemeanor drug offense, or any alleged offense against the person under Title 76, Chapter 5, Offenses Against the Person, and with the understanding that the office must provide the subject of a report received under Subsection (1)(k) with an opportunity to respond to the report before making a decision concerning licensure or employment;

(k) any person identified in the report as a perpetrator or possible perpetrator of child abuse or neglect, after being advised of the screening prohibition in Subsection (2);

(l) except as provided in Subsection 63-2-202(10), a person filing a petition for a child protective order on behalf of a child who is the subject of the report; and

(m) a licensed child-placing agency or person who is performing a preplacement adoptive evaluation in accordance with the requirements of Section 78-30-3.5.

(2) (a) A person, unless listed in Subsection (1), may not request another person to obtain or release a report or any other information in the possession of the division obtained as a result of the report that is available under Subsection (1)(k) to screen for potential perpetrators of child abuse or neglect.

(b) A person who requests information knowing that it is a violation of Subsection (2)(a) to do so is subject to the criminal penalty in Subsection (4).

(3) (a) Except as provided in Section 62A-4a-1007 and Subsection (3)(b), the division and law enforcement officials shall ensure the anonymity of the person or persons making the initial report and any others involved in its subsequent investigation.

(b) Notwithstanding any other provision of law, excluding Section 78-3a-314, but including this chapter and Title 63, Chapter 2, Government Records Access and Management Act, when the division makes a report or other information in its possession available under Subsection (1)(e) to a subject of the report or a parent of a child, the division shall remove from the report or other information only the names, addresses, and telephone numbers of individuals or specific information that could:

(i) identify the referent;

(ii) impede a criminal investigation; or

(iii) endanger a person's safety.

(4) Any person who willfully permits, or aides and abets the release of data or information obtained as a result of this part, in the possession of

the division or contained on any part of the Management Information System, in violation of this part or Sections 62A-4a-1003 through 62A-4a-1007, is guilty of a class C misdemeanor.

(5) The physician-patient privilege is not a ground for excluding evidence regarding a child's injuries or the cause of those injuries, in any proceeding resulting from a report made in good faith pursuant to this part.

(6) A child-placing agency or person who receives a report in connection with a preplacement adoptive evaluation pursuant to Section 78-30-3.5:

(a) may provide this report to the person who is the subject of the report; and

(b) may provide this report to a person who is performing a preplacement adoptive evaluation in accordance with the requirement of Section 78-30-3.5, or to a licensed child-placing agency or to an attorney seeking to facilitate an adoption."

13. Page 13, Line 383:

After "challenge" delete "supported"; after "finding" insert "of supported, unsupported, or without merit"

14. Page 13, Line 386:

After "makes a" bracket "supported" and after "finding" insert of supported, unsupported, or without merit"

15. Page 13, Line 399:

After "in Subsection (1)" insert ", relating to a supported finding,"

16. Page 14, Line 416:

After "this section," insert "based on a challenge to a supported finding,"

17. Page 14, Line 420:

After "agency action" insert "under this section, regardless of whether the finding is supported, unsupported, or without merit,"

18. Page 14, Line 425:

After line 425 insert:

"(6) (a) If, after receiving a report of alleged child abuse, neglect, or dependency, the division makes a finding that the report is unsupported or without merit, the division shall serve notice of the finding, described in Subsection (6)(b), on the alleged perpetrator.

(b) The notice described in Subsection (6)(a):

- (i) shall state that:
- (A) the division has conducted an investigation regarding a report of alleged child abuse, neglect, or dependency;
- (B) the division has made a finding that the report is unsupported or without merit;
- (C) the alleged perpetrator's name, information, and the report have been entered into the Management Information System, together with an indication that the report was found to be unsupported or without merit;
- (D) the information described in Subsection (6)(b)(i)(C);
- (I) will not be included in the Licensing Information System; and
- (II) may not be accessed and used to disqualify the alleged perpetrator from adopting a child or being licensed by:
- (Aa) the department;
- (Bb) a human services licensee;
- (Cc) a child care provider or program; or
- (Dd) a covered health care facility;
- (E) the alleged perpetrator has the rights described in Subsection (7); and
- (F) failure to take the action described in Subsection (7)(a) within two years after service of the notice will result in the action described in Subsection (7)(b);
- (ii) shall include a general statement of the nature of the findings; and
- (iii) may not include:
- (A) the name of a victim or witness; or
- (B) any privacy information related to the victim or a witness.
- (7) (a) Upon receipt of the notice described in Subsection (6), the alleged perpetrator shall have the right to:
- (i) except as provided in Subsection (7)(c), submit a request for agency review to the division, requesting one or both of the following:
- (A) if the finding described in Subsection (6)(a) is a finding of unsupported, that the division reduce the finding to a finding of without merit; or
- (B) if the finding described in Subsection (6)(a) is a finding of unsupported or without merit, that the division remove the alleged perpetrator's name and information, the finding, and the report to which it relates, from the Management Information System; or
- (ii) sign a written consent to:
- (A) the finding made under Subsection (6)(a); and
- (B) entry into the Management Information System of the alleged perpetrator's name and information, the finding, and the report.

- (b) The alleged perpetrator's name and information, the finding, and the report shall remain in the Management Information System:
- (i) if the alleged perpetrator fails to submit a request for agency review under Subsection (7)(a)(i) within two years after service of the notice described in Subsection (6);
- (ii) during the time that the division awaits a request for agency review from the alleged perpetrator pursuant to Subsection (7)(a); and
- (iii) unless:
- (A) in response to a request for agency review, the division determines, under Subsection (7)(a)(i)(B), to remove the alleged perpetrator's name and information, including the finding and the report, from the Management Information System;
- (B) the division refuses to take the action described in Subsection (7)(b)(iii)(A) and the division's decision is overturned; or
- (C) a court orders that the perpetrator's name and information, the finding, and the report be removed from the Management Information System.
- (c) The alleged perpetrator has no right to submit a request for agency review to the division under Subsection (7)(a)(i) if a court previously held a hearing on the same alleged incident of abuse, neglect, or dependency, pursuant to the filing of a petition under Section 78-3a-305, by some other party.
- (d) Consent under Subsection (7)(a)(ii) by a child shall be given by the child's parent or guardian.
- (e) In considering a request described in Subsection (7)(a)(i)(A), the agency shall have the burden of proving, by a preponderance of the evidence, that the finding should be unsupported, rather than without merit.
- (f) In considering a request described in Subsection (7)(a)(i)(B), the person who submitted the request for review shall have the burden of proving, by a preponderance of the evidence, that the person's interest in having the report and finding removed from the Management Information System outweighs the interest of the division or an alleged victim in maintaining the report and finding in the Management Information System.
- (g) If the division refuses to take the action requested under Subsection (7)(a)(i), the person who submitted the request for agency review may challenge the decision pursuant to Title 63, Chapter 46b, Administrative Procedures Act.”

19. Page 14, Line 426:
Bracket "(6)" and Insert "(8)"
20. Page 14, Line 427:
After "challenge a" bracket "supported" and after "finding" insert "of supported, unsupported, or without merit."
21. Page 15, Line 433:
At the beginning of line 15 bracket "(7)" and insert "(9)" and after "in Subsection" bracket "(7)" and insert "(9)"
22. Page 15, Line 434:
After "Subsection (4)" insert "or (7)(a)(i)"; after "challenge a" bracket "supported"; and after "finding" insert "of supported, unsupported, or without merit."
23. Page 15, Lines 435–436:
After "that" insert:
";
(i)"
24. Page 14, Line 437:
Bracket period at end of line and insert:
"; or
(ii) the report was unsubstantiated or without merit."
25. Page 14, Line 438:
Bracket "(7)" and insert "(9)"
26. Page 14, Line 439:
After "Subsection (5)" insert "or (7)"
27. Page 14, Line 441:
Bracket "(8)" and insert "(10)"
28. Page 15, Line 444:
After line 444 insert:
"Section 8. Section 63–2–202
63–2–202. Access to private, controlled, and protected documents.
(1) Upon request, a governmental entity shall disclose a private record to:
(a) the subject of the record;
(b) the parent or legal guardian of an unemancipated minor who is the subject of the record;

- (c) the legal guardian of a legally incapacitated individual who is the subject of the record;
 - (d) any other individual who:
 - (i) has a power of attorney from the subject of the record;
 - (ii) submits a notarized release from the subject of the record or his legal representative dated no more than 90 days before the date the request is made; or
 - (iii) if the record is a medical record described in Subsection 63-2-302(1)(b), is a health care provider, as defined in Section 26-33a-102, if releasing the record or information in the record is consistent with normal professional practice and medical ethics; or
 - (e) any person to whom the record must be provided pursuant to:
 - (i) court order as provided in Subsection (7); or
 - (ii) a legislative subpoena as provided in Title 36, Chapter 14.
- (2) (a) Upon request, a governmental entity shall disclose a controlled record to:
- (i) a physician, psychologist, certified social worker, insurance provider or producer, or a government public health agency upon submission of:
 - (A) a release from the subject of the record that is dated no more than 90 days prior to the date the request is made; and
 - (B) a signed acknowledgment of the terms of disclosure of controlled information as provided by Subsection (2)(b); and
 - (ii) any person to whom the record must be disclosed pursuant to:
 - (A) a court order as provided in Subsection (7); or
 - (B) a legislative subpoena as provided in Title 36, Chapter 14.
- (b) A person who receives a record from a governmental entity in accordance with Subsection (2)(a)(i) may not disclose controlled information from that record to any person, including the subject of the record.
- (3) If there is more than one subject of a private or controlled record, the portion of the record that pertains to another subject shall be segregated from the portion that the requester is entitled to inspect.
- (4) Upon request, **and except as provided in Subsection (10)**, a governmental entity shall disclose a protected record to:
- (a) the person who submitted the record;
 - (b) any other individual who:
 - (i) has a power of attorney from all persons, governmental entities, or political subdivisions whose interests were sought to be protected by the protected classification; or
 - (ii) submits a notarized release from all persons, governmental entities,

or political subdivisions whose interests were sought to be protected by the protected classification or from their legal representatives dated no more than 90 days prior to the date the request is made;

(c) any person to whom the record must be provided pursuant to:

(i) a court order as provided in Subsection (7); or

(ii) a legislative subpoena as provided in Title 36, Chapter 14; or

(d) the owner of a mobile home park, subject to the conditions of Subsection 41-1a-116(5).

(5) A governmental entity may disclose a private, controlled, or protected record to another governmental entity, political subdivision, another state, the United States, or a foreign government only as provided by Section 63-2-206.

(6) Before releasing a private, controlled, or protected record, the governmental entity shall obtain evidence of the requester's identity.

(7) A governmental entity shall disclose a record pursuant to the terms of a court order signed by a judge from a court of competent jurisdiction, provided that:

(a) the record deals with a matter in controversy over which the court has jurisdiction;

(b) the court has considered the merits of the request for access to the record; and

(c) the court has considered and, where appropriate, limited the requester's use and further disclosure of the record in order to protect:

(i) privacy interests in the case of private or controlled records;

(ii) business confidentiality interests in the case of records protected under Subsection 63-2-304(1), (2), (40)(a)(ii), or (40)(a)(vi); and

(iii) privacy interests or the public interest in the case of other protected records;

(d) to the extent the record is properly classified private, controlled, or protected, the interests favoring access, considering limitations thereon, outweigh the interests favoring restriction of access; and

(e) where access is restricted by a rule, statute, or regulation referred to in Subsection 63-2-201(3)(b), the court has authority independent of this chapter to order disclosure.

(8) (a) A governmental entity may disclose or authorize disclosure of private or controlled records for research purposes if the governmental entity:

(i) determines that the research purpose cannot reasonably be accomplished without use or disclosure of the information to the researcher in individually identifiable form;

(ii) determines that:

- (A) the proposed research is bona fide; and
 - (B) the value of the research outweighs the infringement upon personal privacy;
- (iii) (A) requires the researcher to assure the integrity, confidentiality, and security of the records; and
 - (B) requires the removal or destruction of the individual identifiers associated with the records as soon as the purpose of the research project has been accomplished;
 - (iv) prohibits the researcher from:
 - (A) disclosing the record in individually identifiable form, except as provided in Subsection (8)(b); or
 - (B) using the record for purposes other than the research approved by the governmental entity; and
 - (v) secures from the researcher a written statement of the researcher's understanding of and agreement to the conditions of this Subsection (8) and the researcher's understanding that violation of the terms of this Subsection (8) may subject the researcher to criminal prosecution under Section 63-2-801.
- (b) A researcher may disclose a record in individually identifiable form if the record is disclosed for the purpose of auditing or evaluating the research program and no subsequent use or disclosure of the record in individually identifiable form will be made by the auditor or evaluator except as provided by this section.
 - (c) A governmental entity may require indemnification as a condition of permitting research under this Subsection (8).
- (9) (a) Under Subsections 63-2-201(5)(b) and 63-2-401(6), a governmental entity may disclose to persons other than those specified in this section records that are:
 - (i) private under Section 63-2-302; or
 - (ii) protected under Section 63-2-304 subject to Section 63-2-308 if a claim for business confidentiality has been made under Section 63-2-308.
 - (b) Under Subsection 63-2-403(11)(b), the records committee may require the disclosure to persons other than those specified in this section of records that are:
 - (i) private under Section 63-2-302;
 - (ii) controlled under Section 63-2-303; or
 - (iii) protected under Section 63-2-304 subject to Section 63-2-308 if a claim for business confidentiality has been made under Section 63-2-308.
 - (c) Under Subsection 63-2-404(8), the court may require the

disclosure of records that are private under Section 63-2-302, controlled under Section 63-2-303, or protected under Section 63-2-304 to persons other than those specified in this section.

(10) A record contained in the Management Information System, created in Section 62A-4a-1003, that is found to be unsubstantiated, unsupported, or without merit may not be disclosed to any person except the person who is alleged in the report to be a perpetrator of abuse, neglect, or dependency.

Section 9. Section 63-2-304

63-2-304. Protected records.

The following records are protected if properly classified by a governmental entity:

(1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret has provided the governmental entity with the information specified in Section 63-2-308;

(2) commercial information or nonindividual financial information obtained from a person if:

(a) disclosure of the information could reasonably be expected to result in unfair competitive injury to the person submitting the information or would impair the ability of the governmental entity to obtain necessary information in the future;

(b) the person submitting the information has a greater interest in prohibiting access than the public in obtaining access; and

(c) the person submitting the information has provided the governmental entity with the information specified in Section 63-2-308;

(3) commercial or financial information acquired or prepared by a governmental entity to the extent that disclosure would lead to financial speculations in currencies, securities, or commodities that will interfere with a planned transaction by the governmental entity or cause substantial financial injury to the governmental entity or state economy;

(4) records the disclosure of which could cause commercial injury to, or confer a competitive advantage upon a potential or actual competitor of, a commercial project entity as defined in Subsection 11-13-103(4);

(5) test questions and answers to be used in future license, certification, registration, employment, or academic examinations;

(6) records the disclosure of which would impair governmental procurement proceedings or give an unfair advantage to any person proposing to enter into a contract or agreement with a governmental entity, except that this Subsection (6) does not restrict the right of a

person to see bids submitted to or by a governmental entity after bidding has closed;

(7) records that would identify real property or the appraisal or estimated value of real or personal property, including intellectual property, under consideration for public acquisition before any rights to the property are acquired unless:

(a) public interest in obtaining access to the information outweighs the governmental entity's need to acquire the property on the best terms possible;

(b) the information has already been disclosed to persons not employed by or under a duty of confidentiality to the entity;

(c) in the case of records that would identify property, potential sellers of the described property have already learned of the governmental entity's plans to acquire the property;

(d) in the case of records that would identify the appraisal or estimated value of property, the potential sellers have already learned of the governmental entity's estimated value of the property; or

(e) the property under consideration for public acquisition is a single family residence and the governmental entity seeking to acquire the property has initiated negotiations to acquire the property as required under Section 78-34-4.5;

(8) records prepared in contemplation of sale, exchange, lease, rental, or other compensated transaction of real or personal property including intellectual property, which, if disclosed prior to completion of the transaction, would reveal the appraisal or estimated value of the subject property, unless:

(a) the public interest in access outweighs the interests in restricting access, including the governmental entity's interest in maximizing the financial benefit of the transaction; or

(b) when prepared by or on behalf of a governmental entity, appraisals or estimates of the value of the subject property have already been disclosed to persons not employed by or under a duty of confidentiality to the entity;

(9) records created or maintained for civil, criminal, or administrative enforcement purposes or audit purposes, or for discipline, licensing, certification, or registration purposes, if release of the records:

(a) reasonably could be expected to interfere with investigations undertaken for enforcement, discipline, licensing, certification, or registration purposes;

(b) reasonably could be expected to interfere with audits, disciplinary, or enforcement proceedings;

- (c) would create a danger of depriving a person of a right to a fair trial or impartial hearing;
- (d) reasonably could be expected to disclose the identity of a source who is not generally known outside of government and, in the case of a record compiled in the course of an investigation, disclose information furnished by a source not generally known outside of government if disclosure would compromise the source; or
- (e) reasonably could be expected to disclose investigative or audit techniques, procedures, policies, or orders not generally known outside of government if disclosure would interfere with enforcement or audit efforts;
- (10) records the disclosure of which would jeopardize the life or safety of an individual;
- (11) records the disclosure of which would jeopardize the security of governmental property, governmental programs, or governmental recordkeeping systems from damage, theft, or other appropriation or use contrary to law or public policy;
- (12) records that, if disclosed, would jeopardize the security or safety of a correctional facility, or records relating to incarceration, treatment, probation, or parole, that would interfere with the control and supervision of an offender's incarceration, treatment, probation, or parole;
- (13) records that, if disclosed, would reveal recommendations made to the Board of Pardons and Parole by an employee of or contractor for the Department of Corrections, the Board of Pardons and Parole, or the Department of Human Services that are based on the employee's or contractor's supervision, diagnosis, or treatment of any person within the board's jurisdiction;
- (14) records and audit workpapers that identify audit, collection, and operational procedures and methods used by the State Tax Commission, if disclosure would interfere with audits or collections;
- (15) records of a governmental audit agency relating to an ongoing or planned audit until the final audit is released;
- (16) records prepared by or on behalf of a governmental entity solely in anticipation of litigation that are not available under the rules of discovery;
- (17) records disclosing an attorney's work product, including the mental impressions or legal theories of an attorney or other representative of a governmental entity concerning litigation;
- (18) records of communications between a governmental entity and an attorney representing, retained, or employed by the governmental

- entity if the communications would be privileged as provided in Section 78–24–8;
- (19) (a) (i) personal files of a state legislator, including personal correspondence to or from a member of the Legislature; and
(ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of legislative action or policy may not be classified as protected under this section; and
- (b) (i) an internal communication that is part of the deliberative process in connection with the preparation of legislation between:
- (A) members of a legislative body;
- (B) a member of a legislative body and a member of the legislative body's staff; or
- (C) members of a legislative body's staff; and
- (ii) notwithstanding Subsection (19)(b)(i), a communication that gives notice of legislative action or policy may not be classified as protected under this section;
- (20) (a) records in the custody or control of the Office of Legislative Research and General Counsel, that, if disclosed, would reveal a particular legislator's contemplated legislation or contemplated course of action before the legislator has elected to support the legislation or course of action, or made the legislation or course of action public; and
(b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the Office of Legislative Research and General Counsel is a public document unless a legislator asks that the records requesting the legislation be maintained as protected records until such time as the legislator elects to make the legislation or course of action public;
- (21) research requests from legislators to the Office of Legislative Research and General Counsel or the Office of the Legislative Fiscal Analyst and research findings prepared in response to these requests;
- (22) drafts, unless otherwise classified as public;
- (23) records concerning a governmental entity's strategy about collective bargaining or pending litigation;
- (24) records of investigations of loss occurrences and analyses of loss occurrences that may be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the Uninsured Employers' Fund, or similar divisions in other governmental entities;
- (25) records, other than personnel evaluations, that contain a personal recommendation concerning an individual if disclosure would constitute a clearly unwarranted invasion of personal privacy, or disclosure is not in the public interest;
- (26) records that reveal the location of historic, prehistoric,

paleontological, or biological resources that if known would jeopardize the security of those resources or of valuable historic, scientific, educational, or cultural information;

(27) records of independent state agencies if the disclosure of the records would conflict with the fiduciary obligations of the agency;

(28) records of an institution within the state system of higher education defined in Section 53B-1-102 regarding tenure evaluations, appointments, applications for admissions, retention decisions, and promotions, which could be properly discussed in a meeting closed in accordance with Title 52, Chapter 4, Open and Public Meetings Act, provided that records of the final decisions about tenure, appointments, retention, promotions, or those students admitted, may not be classified as protected under this section;

(29) records of the governor's office, including budget recommendations, legislative proposals, and policy statements, that if disclosed would reveal the governor's contemplated policies or contemplated courses of action before the governor has implemented or rejected those policies or courses of action or made them public;

(30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis, revenue estimates, and fiscal notes of proposed legislation before issuance of the final recommendations in these areas;

(31) records provided by the United States or by a government entity outside the state that are given to the governmental entity with a requirement that they be managed as protected records if the providing entity certifies that the record would not be subject to public disclosure if retained by it;

(32) transcripts, minutes, or reports of the closed portion of a meeting of a public body except as provided in Section 52-4-206;

(33) records that would reveal the contents of settlement negotiations but not including final settlements or empirical data to the extent that they are not otherwise exempt from disclosure;

(34) memoranda prepared by staff and used in the decision-making process by an administrative law judge, a member of the Board of Pardons and Parole, or a member of any other body charged by law with performing a quasi-judicial function;

(35) records that would reveal negotiations regarding assistance or incentives offered by or requested from a governmental entity for the purpose of encouraging a person to expand or locate a business in Utah, but only if disclosure would result in actual economic harm to the person or place the governmental entity at a competitive disadvantage, but this section may not be used to restrict access to a record evidencing

a final contract;

(36) materials to which access must be limited for purposes of securing or maintaining the governmental entity's proprietary protection of intellectual property rights including patents, copyrights, and trade secrets;

(37) the name of a donor or a prospective donor to a governmental entity, including an institution within the state system of higher education defined in Section 53B-1-102, and other information concerning the donation that could reasonably be expected to reveal the identity of the donor, provided that:

(a) the donor requests anonymity in writing;

(b) any terms, conditions, restrictions, or privileges relating to the donation may not be classified protected by the governmental entity under this Subsection (37); and

(c) except for an institution within the state system of higher education defined in Section 53B-1-102, the governmental unit to which the donation is made is primarily engaged in educational, charitable, or artistic endeavors, and has no regulatory or legislative authority over the donor, a member of the donor's immediate family, or any entity owned or controlled by the donor or the donor's immediate family;

(38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and 73-18-13;

(39) a notification of workers' compensation insurance coverage described in Section 34A-2-205;

(40) (a) the following records of an institution within the state system of higher education defined in Section 53B-1-102, which have been developed, discovered, disclosed to, or received by or on behalf of faculty, staff, employees, or students of the institution:

(i) unpublished lecture notes;

(ii) unpublished notes, data, and information:

(A) relating to research; and

(B) of:

(I) the institution within the state system of higher education defined in Section 53B-1-102; or

(II) a sponsor of sponsored research;

(iii) unpublished manuscripts;

(iv) creative works in process;

(v) scholarly correspondence; and

(vi) confidential information contained in research proposals;

(b) Subsection (40)(a) may not be construed to prohibit disclosure of public information required pursuant to Subsection 53B-16-302(2)(a)

or (b); and

(c) Subsection (40)(a) may not be construed to affect the ownership of a record;

(41) (a) records in the custody or control of the Office of Legislative Auditor General that would reveal the name of a particular legislator who requests a legislative audit prior to the date that audit is completed and made public; and

(b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the Office of the Legislative Auditor General is a public document unless the legislator asks that the records in the custody or control of the Office of Legislative Auditor General that would reveal the name of a particular legislator who requests a legislative audit be maintained as protected records until the audit is completed and made public;

(42) records that provide detail as to the location of an explosive, including a map or other document that indicates the location of:

(a) a production facility; or

(b) a magazine;

(43) information contained in the database described in Section 62A-3-311.1;

(44) information contained in the Management Information System and Licensing Information System described in Title 62A, Chapter 4a, Child and Family Services;

(45) information regarding National Guard operations or activities in support of the National Guard's federal mission;

(46) records provided by any pawn or secondhand business to a law enforcement agency or to the central database in compliance with Title 13, Chapter 32a, Pawnshop and Secondhand Merchandise Transaction Information Act;

(47) information regarding food security, risk, and vulnerability assessments performed by the Department of Agriculture and Food;

(48) except to the extent that the record is exempt from this chapter pursuant to Section 63-2-106, records related to an emergency plan or program prepared or maintained by the Division of Homeland Security the disclosure of which would jeopardize:

(a) the safety of the general public; or

(b) the security of:

(i) governmental property;

(ii) governmental programs; or

(iii) the property of a private person who provides the Division of Homeland Security information;

(49) records of the Department of Agriculture and Food relating to the National Animal Identification System or any other program that provides for the identification, tracing, or control of livestock diseases, including any program established under Title 4, Chapter 24, Utah Livestock Brand and Anti-theft Act or Title 4, Chapter 31, Livestock Inspection and Quarantine;

(50) as provided in Section 26-39-109:

(a) information or records held by the Department of Health related to a complaint regarding a child care program or residential child care which the department is unable to substantiate; and

(b) information or records related to a complaint received by the Department of Health from an anonymous complainant regarding a child care program or residential child care; [and]

(51) unless otherwise classified as public under Section 63-2-301 and except as provided under Section 41-1a-116, an individual's home address, home telephone number, or personal mobile phone number, if:

(a) the individual is required to provide the information in order to comply with a law, ordinance, rule, or order of a government entity; and

(b) the subject of the record has a reasonable expectation that this information will be kept confidential due to:

(i) the nature of the law, ordinance, rule, or order; and

(ii) the individual complying with the law, ordinance, rule, or order[]; and

(52) records contained in the Management Information System, created in Section 62A-4a-1003."

29. Page 18, Line 526:

After line 526 insert:

"Section 8. Section 78-3a-314 is amended to read:

78-3a-314. All proceedings -- Persons entitled to be present.

(1) A child who is the subject of a juvenile court hearing, any person entitled to notice pursuant to Section 78-3a-306 or 78-3a-309, preadoptive parents, foster parents, and any relative providing care for the child, are:

(a) entitled to notice of, and to be present at, each hearing and proceeding held under this part, including administrative and citizen reviews; and

(b) have a right to be heard at each hearing and proceeding described in Subsection (1)(a).

(2) A child shall be represented at each hearing by the guardian ad litem appointed to the child's case by the court. The child has a right to be present at each hearing, subject to the discretion of the guardian ad

litem or the court regarding any possible detriment to the child.

(3) (a) The parent or guardian of a child who is the subject of a petition under this part has the right to be represented by counsel, and to present evidence, at each hearing.

(b) When it appears to the court that a parent or guardian of the child desires counsel but is financially unable to afford and cannot for that reason employ counsel, and the child has been placed in out-of-home care, or the petitioner is recommending that the child be placed in out-of-home care, the court shall appoint counsel.

(4) In every abuse, neglect, or dependency proceeding under this chapter, the court shall order that the child be represented by a guardian ad litem, in accordance with Section 78-3a-912. The guardian ad litem shall represent the best interest of the child, in accordance with the requirements of that section, at the shelter hearing and at all subsequent court and administrative proceedings, including any proceeding for termination of parental rights in accordance with Part 4, Termination of Parental Rights Act.

(5) [Notwithstanding] (a) Except as provided in Subsection (5)(b), and notwithstanding any other provision of law[;];

(i) counsel for all parties to the action shall be given access to all records, maintained by the division or any other state or local public agency, that are relevant to the abuse, neglect, or dependency proceeding under this chapter[. If]; and

(ii) if the natural parent of a child is representing himself, the natural parent shall have access to [those records. The above disclosures] the records described in Subsection (5)(a)(i).

(b) The disclosures described in Subsection (5)(a) are not required in the following circumstances:

[(a) The] (i) Subject to Subsection (5)(c), the division or other state or local public agency did not originally create the record being requested[. In those circumstances, the person making the request under this section shall be informed of the following:];

[(i) the existence of all records in the possession of the division or any other state or local public agency;]

[(ii) the name and address of the person or agency that originally created the record; and]

[(iii) that the person must seek access to the record from the person or agency that originally created the record.]

[(b) Disclosure] (ii) disclosure of the record would jeopardize the life or physical safety of a child who has been a victim of child abuse or neglect, or any person who provided substitute care for the child[.];

[~~(e) Disclosure~~] (iii) disclosure of the record would jeopardize the anonymity of the person or persons making the initial report of abuse or neglect or any others involved in the subsequent investigation[-]; [~~(d) Disclosure~~] (iv) disclosure of the record would jeopardize the life or physical safety of a person who has been a victim of domestic violence[-]; or

(v) the record is a report maintained in the Management Information System, for which a finding of unsubstantiated, unsupported, or without merit has been made.

(c) If a disclosure is denied under Subsection (5)(b)(i), the division shall inform the person making the request of the following:

(i) the existence of all records in the possession of the division or any other state or local public agency;

(ii) the name and address of the person or agency that originally created the record; and

(iii) that the person must seek access to the record from the person or agency that originally created the record.

(6) (a) The appropriate foster care citizen review board shall be given access to all records, maintained by the division or any other state or local public agency, that are relevant to an abuse, neglect, or dependency proceeding under this chapter.

(b) Representatives of the appropriate foster care citizen review board are entitled to be present at each hearing held under this part, but notice is not required to be provided.”

Renumber remaining sections accordingly.

Senator Eastman’s motion to amend passed on a voice vote.

On motion of Senator Davis, the bill was circled.

* * *

On motion of Senator Eastman and at 4:05 p.m., the Senate adjourned until 10:00 a.m., Wednesday, February 6, 2008.

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H.B. 253 — HIGHER EDUCATION INFORMATION TECHNOLOGY APPROPRIATION (S. Clark)	
Read for the first time and referred to the Rules Committee	210
Assigned to standing committee	292
H.B. 256 — CRIMINAL PENALTIES AMENDMENTS — INCLUDING JESSICA'S LAW (C. Wimmer)	
Read for the first time and referred to the Rules Committee	226
Assigned to standing committee	293
H.B. 258 — MEDICAID DRUG UTILIZATION AMENDMENTS (R. Lockhart)	
Read for the first time and referred to the Rules Committee	292
H.B. 259 — GOLD STAR FAMILY SPECIAL GROUP LICENSE PLATE AMENDMENTS (C. Oda)	
Read for the first time and referred to the Rules Committee	351
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Read for the first time and referred to the Rules Committee	188
Assigned to standing committee	211
Reassigned to standing committee	222
H.B. 265 — OFFICE OF RECOVERY SERVICES — ELECTRONIC FUNDS TRANSFER (P. Ray)	
Read for the first time and referred to the Rules Committee	292

Assigned to standing committee	352
H.B. 269 — SCOTT B. LUNDELL MILITARY SURVIVORS' TUITION WAIVER AMENDMENTS (<i>M. Morley</i>)	
Read for the first time and referred to the Rules Committee	162
Assigned to standing committee	211
H.B. 270 — UTAH SCIENCE TECHNOLOGY AND RESEARCH INITIATIVE CENTERS (<i>R. Bigelow</i>)	
Read for the first time and referred to the Rules Committee	226
Assigned to standing committee	294
H.B. 272 — FALSE IMPERSONATION AND REPRESENTATION (<i>G. Froerer</i>)	
Read for the first time and referred to the Rules Committee	134
Assigned to standing committee	163
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Read for the first time and referred to the Rules Committee	330
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Read for the first time and referred to the Rules Committee	351
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Read for the first time and referred to the Rules Committee	330
Assigned to standing committee	352
H.J.R. 1 — RESOLUTION ADDRESSING INTERNATIONAL TRADE ISSUES (<i>S. Allen</i>)	
Read for the first time and referred to the Rules Committee	292
Assigned to standing committee	352
H.J.R. 2 — RESOLUTION ENCOURAGING MANUFACTURED AND MOBILE HOME PARKS AS AFFORDABLE HOUSING (<i>N. Hendrickson</i>)	
Read for the first time and referred to the Rules Committee	134
Assigned to standing committee	162
Committee report adopted and placed on calendar	298
H.J.R. 5 — JOINT RESOLUTION URGING SUPPORT OF MEDICAID LONG-TERM CARE FUNDING OF HOME AND COMMUNITY-BASED SUPPORTS (<i>M. Noel</i>)	
Read for the first time and referred to the Rules Committee	292
H.J.R. 7 — JOINT RESOLUTION RECOGNIZING UNREINFORCED MASONRY BUILDINGS (<i>L. Wiley</i>)	
Read for the first time and referred to the Rules Committee	330
S.B. 1 — STATE AGENCY AND HIGHER EDUCATION BASE BUDGET APPROPRIATIONS (<i>L. Hillyard</i>)	
Read the first time by short title and referred to the Rules Committee	15
Placed on calendar	77
Read the second time	77
Circled	78
Read the second and third time	98
Transmitted to the House	99
Signed by the President and transmitted to the Governor	133
Action taken by the Governor	329
S.B. 10 — SEARCH WARRANT PROCEDURE AMENDMENTS (<i>J. Greiner</i>)	
Read the first time by short title and referred to the Rules Committee	15
Placed on calendar	24
Read the second time	46
Amendments	46
Read the third time	72
Transmitted to the House	72
S.B. 11 — UTAH VENTURE CAPITAL ENHANCEMENT ACT AMENDMENTS (<i>S. Jenkins</i>)	
Read the first time by short title and referred to the Rules Committee	15
Placed on calendar	24
Read the second time	47
Read the third time	72
Transmitted to the House	73
S.B. 12 — ELECTION LAW MODIFICATIONS (<i>P. Knudson</i>)	
Read the first time by short title and referred to the Rules Committee	15
Placed on calendar	24
Read the second time	47
Read the third time	73
Transmitted to the House	73
S.B. 13 — CANDIDATE RESIDENCY REQUIREMENTS (<i>P. Knudson</i>)	
Read the first time by short title and referred to the Rules Committee	15
Placed on calendar	24
Read the second time	48
Substituted	48
1st Sub. S.B. 13 — CANDIDATE RESIDENCY REQUIREMENTS (<i>P. Knudson</i>)	
Read the third time	74
Amendments	74
Transmitted to the House	75
S.B. 14 — SMOKING BAN IN MOTOR VEHICLE (<i>S. McCoy</i>)	
Read the first time by short title and referred to the Rules Committee	15

Assigned to standing committee	26
Amendments	68
Committee report adopted and placed on calendar	71
Read the second time	147
Read the third time	171
Transmitted to the House	172
S.B. 15 — DRIVING UNDER THE INFLUENCE AMENDMENTS (C. Walker)	
Read the first time by short title and referred to the Rules Committee.	15
Placed on calendar	24
Read the second time	48
Circled	48
Uncircled	78
Substituted	78
1st Sub. S.B. 15 — DRIVING UNDER THE INFLUENCE AMENDMENTS (C. Walker)	
Read the third time	97
Substituted	98
2nd Sub. S.B. 15 — DRIVING UNDER THE INFLUENCE AMENDMENTS (C. Walker)	
Transmitted to the House	98
S.B. 16 — EXONERATION AND INNOCENCE ASSISTANCE (G. Bell)	
Read the first time by short title and referred to the Rules Committee.	15
Placed on calendar	24
Read the second time	48
Read the third time	75
Amendments	75
Transmitted to the House	76
S.B. 17 — CHILD ABUSE AND NEGLECT REGISTRY – MANAGEMENT AND LICENSING INFORMATION SYSTEMS AMENDMENTS (G. Davis)	
Read the first time by short title and referred to the Rules Committee.	15
Placed on calendar	24
Read the second time	49
Circled	49
Uncircled	367
Amendments	368
Circled	387
S.B. 18 — PUBLIC SAFETY RETIREMENT DEATH BENEFIT MODIFICATIONS (J. Greiner)	
Read the first time by short title and referred to the Rules Committee.	15
Placed on calendar	24
Read the second time	49
Read the third time	76
Amendments	76
Transmitted to the House	77
S.B. 19 — ENHANCED PUBLIC SAFETY RETIREMENT SYSTEMS COLA OPTION (C. Walker)	
Read the first time by short title and referred to the Rules Committee.	15
Placed on calendar	24
Read the second time	49
Read the third time	78
Transmitted to the House	78
S.B. 20 — MUNICIPAL GOVERNMENT AMENDMENTS (C. Walker)	
Read the first time by short title and referred to the Rules Committee.	15
Placed on calendar	24
Read the second time	79
Substituted	79
1st Sub. S.B. 20 — MUNICIPAL GOVERNMENT AMENDMENTS (C. Walker)	
Substituted	330
Read the third time	98
Returned to the Standing Committee	98
2nd Sub. S.B. 20 — MUNICIPAL GOVERNMENT AMENDMENTS (C. Walker)	
Committee report adopted and placed on calendar	334
S.B. 21 — CAMPAIGN FINANCE DISCLOSURE REVISIONS (P. Knudson)	
Read the first time by short title and referred to the Rules Committee.	15
Assigned to standing committee	26
Substituted	91
1st Sub. S.B. 21 — CAMPAIGN FINANCE DISCLOSURE REVISIONS (P. Knudson)	
Committee report adopted and placed on calendar	96
Read the second time	225
Read the third time	261
Circled	261
Uncircled	301
Transmitted to the House	302
S.B. 22 — TIMING OF BALLOT ITEMS (P. Knudson)	
Read the first time by short title and referred to the Rules Committee.	16

Placed on calendar	24
Read the second time	99
Read the third time	116
Transmitted to the House	117
S.B. 23 — REVISION TO POLLING REQUIREMENTS (<i>P. Knudson</i>)	
Read the first time by short title and referred to the Rules Committee	16
Placed on calendar	24
Read the second time	99
Read the third time	117
Transmitted to the House	117
S.B. 24 — RETIREMENT DEATH BENEFITS AND DIVORCE REVISIONS (<i>L. Hillyard</i>)	
Read the first time by short title and referred to the Rules Committee	16
Placed on calendar	24
Read the second time	100
Circled	100
Uncircled	119
Read the third time	143
Transmitted to the House	144
S.B. 25 — MUNICIPAL INCORPORATION AMENDMENTS (<i>D. Stowell</i>)	
Read the first time by short title and referred to the Rules Committee	16
Placed on calendar	24
Read the second time	100
Circled	100
Uncircled	224
Substituted	224
1st Sub. S.B. 25 — MUNICIPAL INCORPORATION AMENDMENTS (<i>D. Stowell</i>)	
Circled	224
S.B. 26 — FIRE MANAGEMENT AREAS (<i>M. Dayton</i>)	
Read the first time by short title and referred to the Rules Committee	16
Placed on calendar	24
Read the second time	100
Read the third time	117
Transmitted to the House	118
Signed by the President and transmitted to the Governor	329
S.B. 27 — TRUSTEES SALE – PROCESS FOR EXCESS PROCEEDS (<i>G. Davis</i>)	
Read the first time by short title and referred to the Rules Committee	16
Placed on calendar	24
Read the second time	101
Read the third time	118
Transmitted to the House	118
S.B. 28 — APPORTIONMENT OF BUSINESS INCOME, ATTRIBUTING SALES TO THE STATE, AND DEDUCTION OF NET LOSSES BY A UNITARY GROUP (<i>H. Stephenson</i>)	
Read the first time by short title and referred to the Rules Committee	16
Assigned to standing committee	27
Committee report adopted and placed on calendar	140
Read the second time	308
Read the third time	340
Transmitted to the House	340
S.B. 29 — TRUTH IN TAXATION AMENDMENTS (<i>W. Niederhauser</i>)	
Read the first time by short title and referred to the Rules Committee	16
Assigned to standing committee	27
Substituted	332
1st Sub. S.B. 29 — TRUTH IN TAXATION AMENDMENTS (<i>W. Niederhauser</i>)	
Committee report adopted and placed on calendar	334
S.B. 30 — CONSUMER SALES PRACTICE ACT AMENDMENTS (<i>P. Jones</i>)	
Read the first time by short title and referred to the Rules Committee	16
Placed on calendar	24
Read the second time	101
Read the third time	118
Circled	118
Uncircled	143
Amendments	143
Transmitted to the House	143
S.B. 31 — INCOME TAX AMENDMENTS (<i>W. Niederhauser</i>)	
Read the first time by short title and referred to the Rules Committee	16
Assigned to standing committee	27
Amendments	92
Committee report adopted and placed on calendar	96
Read the second time	233
Read the third time	263
Transmitted to the House	263

S.B. 32 — LOCAL GOVERNMENT BONDING ACT – PUBLIC HEARINGS (S. Jenkins)	
Read the first time by short title and referred to the Rules Committee.	16
Assigned to standing committee	26
Amendments	91
Committee report adopted and placed on calendar	96
Read the second time	231
Substituted	231
2nd Sub. S.B. 32 — LOCAL GOVERNMENT BONDING ACT (S. Jenkins)	
Read the third time	261
Transmitted to the House	261
S.B. 33 — DEPARTMENT OF COMMUNITY AND CULTURE – STATE-OWNED ART INVENTORY (M. Madsen)	
Read the first time by short title and referred to the Rules Committee.	16
Placed on calendar	24
Read the second time	118
Read the third time	142
Transmitted to the House	142
S.B. 34 — CONFIDENTIALITY OF REPORTS TO DRIVER LICENSE DIVISION (A. Christensen)	
Read the first time by short title and referred to the Rules Committee.	16
Assigned to standing committee	28
Committee report adopted and placed on calendar	71
Read the second time	222
Read the third time	260
Transmitted to the House	260
S.B. 35 — DIFFERENTIATED PAY FOR TEACHERS (H. Stephenson)	
Read the first time by short title and referred to the Rules Committee.	16
Assigned to standing committee	25
Committee report adopted and placed on calendar	71
Read the second time	192
Read the third time	219
Circled	219
Uncircled	341
Amendments	341
Transmitted to the House	344
S.B. 36 — CHARTER AND ONLINE SCHOOLS – PARTICIPATION IN EXTRACURRICULAR ACTIVITIES (M. Madsen)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	26
Amendments	115
Committee report adopted and placed on calendar	116
Read the second time	304
Substituted	304
1st Sub. S.B. 36 — CHARTER AND ONLINE SCHOOLS – PARTICIPATION IN EXTRACURRICULAR ACTIVITIES (M. Madsen)	
Read the third time	337
Transmitted to the House	338
S.B. 37 — HOME SCHOOL AND EXTRA CURRICULAR ACTIVITIES AMENDMENTS (M. Madsen)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	26
Amendments	165
Committee report adopted and placed on calendar	167
Read the second time	359
Circled	359
S.B. 38 — TRANSPARENCY IN GOVERNMENT FINANCE (W. Niederhauser)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	28
Substituted	135
1st Sub. S.B. 38 — TRANSPARENCY IN GOVERNMENT FINANCE (W. Niederhauser)	
Committee report adopted and placed on calendar	140
Read the second time	308
Circled	308
S.B. 39 — MATHEMATICS, SCIENCE, AND TECHNOLOGY EDUCATION TASK FORCE (H. Stephenson)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	26
Amendments	70
Committee report adopted and placed on calendar	71
Read the second time	192
Read the third time	219
Circled	219
Uncircled	340
Transmitted to the House	341
S.B. 40 — STATE TRADE DATABASE (M. Madsen)	
Read the first time by short title and referred to the Rules Committee.	17

Placed on calendar	25
Read the second time	119
Read the third time	142
Transmitted to the House	143
S.B. 41 — EXTENDED SCHOOL YEAR INCENTIVE (<i>H. Stephenson</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	26
Committee report adopted and placed on calendar	71
Read the second time	193
Amendments	193
Read the third time	219
Circled	219
Uncircled	344
Transmitted to the House	344
S.B. 42 — UTAH COLLEGE OF APPLIED TECHNOLOGY – GOVERNANCE AND OPERATIONS (<i>G. Bell</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	26
S.B. 43 — ADMINISTRATIVE RULES REAUTHORIZATION (<i>H. Stephenson</i>)	
Read the first time by short title and referred to the Rules Committee.	45
Assigned to standing committee	67
S.B. 44 — PENALTIES FOR FAILING TO SECURE A LOAD OR LITTERING ON A HIGHWAY (<i>P. Jones</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Placed on calendar	25
Read the second time	120
Read the third time	144
Circled	144
Uncircled	172
Amendments	172
Transmitted to the House	173
S.B. 45 — ACCOUNTING FOR COMPETITIVE ACTIVITIES OF LOCAL ENTITIES (<i>H. Stephenson</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	26
Substituted	331
1st Sub. S.B. 45 — INVENTORY FOR COMPETITIVE ACTIVITIES OF LOCAL ENTITIES (<i>H. Stephenson</i>)	
Committee report adopted and placed on calendar	334
S.B. 46 — ANTI-FLOW CONTROL AMENDMENTS (<i>D. Eastman</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	27
Substituted	296
1st Sub. S.B. 46 — ANTI-FLOW CONTROL AMENDMENTS (<i>D. Eastman</i>)	
Amendments	296
Committee report adopted and placed on calendar	298
S.B. 47 — LIMITED PURPOSE LOCAL GOVERNMENT ENTITIES REVISIONS (<i>D. Stowell</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	26
S.B. 48 — EQUALIZATION OF SCHOOL CAPITAL OUTLAY FUNDING (<i>D. Eastman</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	26
Substituted	71
1st Sub. S.B. 48 — EQUALIZATION OF SCHOOL CAPITAL OUTLAY FUNDING (<i>D. Eastman</i>)	
Read for the first time and referred to the Rules Committee	351
Committee report adopted and placed on calendar	71
Returned to the Rules Committee	195
Substituted	333
2nd Sub. S.B. 48 — EQUALIZATION OF SCHOOL CAPITAL OUTLAY FUNDING (<i>D. Eastman</i>)	
Committee report adopted and placed on calendar	334
S.B. 49 — NEW SCHOOL DISTRICT AMENDMENTS (<i>D. C. Buttars</i>)	
Read the first time by short title and referred to the Rules Committee.	17
S.B. 50 — MEDICAL BENEFITS RECOVERY AMENDMENTS (<i>A. Christensen</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	27
Committee report adopted and placed on calendar	71
Read the second time	148
Circled	148
Uncircled	173
Read the third time	191
Transmitted to the House	192
S.B. 51 — IMPACT FEES – PUBLIC SAFETY FACILITY (<i>G. Bell</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Assigned to standing committee	27

S.B. 52 — IDENTITY THEFT AMENDMENT (<i>C. Walker</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Assigned to standing committee	27
Committee report adopted and placed on calendar	96
Read the second time	235
Read the third time	264
Circled	264
Uncircled	269
Amendments	269
Transmitted to the House	269
S.B. 53 — USE OF INITIATIVE AND REFERENDUM FOR ADMINISTRATIVE LAND USE AND ZONING MATTERS (<i>B. Goodfellow</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Assigned to standing committee	26
Substituted	134
1st Sub. S.B. 53 — USE OF INITIATIVE AND REFERENDUM FOR ADMINISTRATIVE LAND USE AND ZONING MATTERS (<i>B. Goodfellow</i>)	
Committee report adopted and placed on calendar	140
Read the second time	306
Read the third time	338
Transmitted to the House	339
S.B. 54 — INITIATIVE AND REFERENDUM PETITION SUBMISSION AMENDMENTS (<i>B. Goodfellow</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Assigned to standing committee	26
Substituted	135
1st Sub. S.B. 54 — INITIATIVE AND REFERENDUM PETITION AMENDMENTS (<i>B. Goodfellow</i>)	
Committee report adopted and placed on calendar	140
Read the second time	307
Read the third time	339
Transmitted to the House	339
S.B. 56 — NATUROPATHIC PHYSICIAN AMENDMENTS (<i>S. McCoy</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Assigned to standing committee	27
Substituted	114
1st Sub. S.B. 56 — NATUROPATHIC PHYSICIAN LICENSING AMENDMENTS (<i>S. McCoy</i>)	
Committee report adopted and placed on calendar	116
Read the second time	267
Read the third time	300
Transmitted to the House	301
S.B. 57 — FRANCHISE LAW AMENDMENTS (<i>D. Eastman</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Assigned to standing committee	25
S.B. 58 — WORKERS' COMPENSATION RELATED AMENDMENTS (<i>M. Dmitrich</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Assigned to standing committee	25
Amendments	112
Committee report adopted and placed on calendar	116
Read the second time	238
Amendments	238
Read the third time	266
Transmitted to the House	267
S.B. 59 — WILDLIFE AMENDMENTS (<i>A. Christensen</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Assigned to standing committee	27
S.B. 60 — REPEALING LABOR COMMISSION RESPONSIBILITIES TO OVERSEE EMPLOYMENT AGENCIES (<i>R. Romero</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Assigned to standing committee	25
Committee report adopted and placed on calendar	71
Read the second time	145
Read the third time	169
Transmitted to the House	170
S.B. 61 — FINANCIAL LITERACY EDUCATION (<i>P. Jones</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Assigned to standing committee	26
Amendments	166
Committee report adopted and placed on calendar	167
Read the second time	359
S.B. 62 — HEALTH INSURANCE – MEDICAL COMPLICATION EXCLUSIONS (<i>P. Knudson</i>)	
Read the first time by short title and referred to the Rules Committee.	18

Assigned to standing committee	67
Committee report adopted and placed on calendar	116
Read the second time	268
Read the third time	301
Transmitted to the House	301
S.B. 63 — ADULT PROTECTIVE SERVICES AMENDMENTS (<i>K. VanTassell</i>)	
Read the first time by short title and referred to the Rules Committee	18
Assigned to standing committee	67
Committee report adopted and placed on calendar	190
Read the second time	361
S.B. 64 — INCOME TAX – CAPITAL GAIN TRANSACTIONS (<i>W. Niederhauser</i>)	
Read the first time by short title and referred to the Rules Committee	18
Assigned to standing committee	67
Committee report adopted and placed on calendar	140
Read the second and third time	308
Transmitted to the House	309
S.B. 65 — SOLICITING GANG MEMBERS PROHIBITED (<i>J. Greiner</i>)	
Read the first time by short title and referred to the Rules Committee	18
Assigned to standing committee	67
Amendments	189
Committee report adopted and placed on calendar	190
Read the second time	362
S.B. 66 — UNIFORM EMERGENCY VOLUNTEER HEALTH PRACTITIONERS ACT (<i>L. Hillyard</i>)	
Read the first time by short title and referred to the Rules Committee	19
Assigned to standing committee	67
Committee report adopted and placed on calendar	116
Read the second time	270
Read the third time	302
Substituted	302
1st Sub. S.B. 66 — UNIFORM EMERGENCY VOLUNTEER HEALTH PRACTITIONERS ACT (<i>L. Hillyard</i>)	
Transmitted to the House	303
S.B. 67 — PROTECTION OF CONSTITUTIONALLY GUARANTEED ACTIVITIES IN CERTAIN PRIVATE VENUES (<i>M. Madsen</i>)	
Read the first time by short title and referred to the Rules Committee	19
Assigned to standing committee	90
Committee report adopted and placed on calendar	217
Read the second time	364
S.B. 68 — WORKERS' COMPENSATION – DEATH BENEFITS (<i>K. Mayne</i>)	
Read the first time by short title and referred to the Rules Committee	19
Assigned to standing committee	66
Committee report adopted and placed on calendar	116
Read the second time	267
Read the third time	300
Transmitted to the House	300
S.B. 69 — UNIFORM LIMITED COOPERATIVE ASSOCIATION ACT (<i>L. Hillyard</i>)	
Read the first time by short title and referred to the Rules Committee	19
Assigned to standing committee	66
Amendments	294
Committee report adopted and placed on calendar	298
S.B. 70 — EMOTIONAL SUPPORT ANIMALS (<i>S. McCoy</i>)	
Read the first time by short title and referred to the Rules Committee	19
Assigned to standing committee	90
Amendments	353
Committee report adopted and placed on calendar	359
S.B. 71 — SCHOOL DISTRICT AMENDMENTS (<i>C. Walker</i>)	
Read the first time by short title and referred to the Rules Committee	45
Assigned to standing committee	66
Amendments	356
Committee report adopted and placed on calendar	359
S.B. 72 — JUSTICE COURT AMENDMENTS (<i>L. Hillyard</i>)	
Read the first time by short title and referred to the Rules Committee	45
Assigned to standing committee	67
S.B. 73 — WRONGFUL DEATH AMENDMENTS (<i>S. McCoy</i>)	
Read the first time by short title and referred to the Rules Committee	71
Assigned to standing committee	91
Committee report adopted and placed on calendar	190
Read the second time	362
Circled	362
S.B. 74 — HEALTH CARE PROVIDER ACCESS (<i>D. C. Butars</i>)	
Read the first time by short title and referred to the Rules Committee	97

Assigned to standing committee	112
Committee report adopted and placed on calendar	359
S.B. 75 -- PROHIBITING GANG ACTIVITY (<i>J. Greiner</i>)	
Read the first time by short title and referred to the Rules Committee.	97
Assigned to standing committee	112
Committee report adopted and placed on calendar	190
Read the second time	362
S.B. 76 -- STATE PARKS AND RECREATION AMENDMENTS (<i>B. Goodfellow</i>)	
Read the first time by short title and referred to the Rules Committee.	122
Assigned to standing committee	163
Amendments	216
Committee report adopted and placed on calendar	217
Read the second time	367
S.B. 77 -- REVISIONS TO GOVERNMENT RECORDS ACCESS MANAGEMENT ACT (<i>M. Dayton</i>)	
Read the first time by short title and referred to the Rules Committee.	140
Assigned to standing committee	163
Amendments	229
Read the second time and placed on Consent Calendar	230
Read the third time	336
Transmitted to the House	337
S.B. 78 -- COUNTY PERSONNEL MANAGEMENT ACT AMENDMENTS (<i>W. Niederhauser</i>)	
Read the first time by short title and referred to the Rules Committee.	141
Assigned to standing committee	163
Amendments	228
Committee report adopted and placed on calendar	229
S.B. 79 -- SMALL BUSINESS ACCESS AMENDMENTS (<i>R. Romero</i>)	
Read the first time by short title and referred to the Rules Committee.	168
Assigned to standing committee	211
Committee report adopted and placed on calendar	359
S.B. 80 -- SKI AND SNOWBOARD EDUCATION, DEVELOPMENT, AND PROMOTION SPECIAL GROUP LICENSE PLATE (<i>K. VanTassell</i>)	
Read the first time by short title and referred to the Rules Committee.	190
Assigned to standing committee	212
Amendments	333
Committee report adopted and placed on calendar	334
S.B. 81 -- ILLEGAL IMMIGRATION (<i>J. Hickman</i>)	
Read the first time by short title and referred to the Rules Committee.	230
Assigned to standing committee	292
S.B. 82 -- AMBULATORY SURGICAL CENTERS AMENDMENTS (<i>A. Christensen</i>)	
Read the first time by short title and referred to the Rules Committee.	230
Assigned to standing committee	293
S.B. 83 -- CHECK CASHING AND DEFERRED DEPOSIT LENDING REGISTRATION ACT (<i>K. Mayne</i>)	
Read the first time by short title and referred to the Rules Committee.	230
Assigned to standing committee	292
S.B. 84 -- NET METERING PROGRAMS (<i>K. VanTassell</i>)	
Read the first time by short title and referred to the Rules Committee.	257
Assigned to standing committee	352
S.B. 85 -- WATER RIGHTS BOARD (<i>D. Stowell</i>)	
Read the first time by short title and referred to the Rules Committee.	359
S.B. 88 -- UNIFORM MODEL REGISTERED AGENT ACT (<i>L. Hillyard</i>)	
Read the first time by short title and referred to the Rules Committee.	335 , 359
Assigned to standing committee	351
S.B. 89 -- PREVENTING CATASTROPHIC WILDLAND FIRES (<i>D. Stowell</i>)	
Read the first time by short title and referred to the Rules Committee.	257
Assigned to standing committee	293
S.B. 90 -- PAYMENT IN LIEU OF PROPERTY TAXES ACT (<i>G. Davis</i>)	
Read the first time by short title and referred to the Rules Committee.	257
S.B. 91 -- BENEFITS TO AMERICAN BOARD CERTIFIED TEACHERS (<i>M. Madsen</i>)	
Read the first time by short title and referred to the Rules Committee.	230
Assigned to standing committee	292
Committee report adopted and placed on calendar	359
S.B. 92 -- REAL PROPERTY RECORDING AMENDMENTS (<i>D. Stowell</i>)	
Read the first time by short title and referred to the Rules Committee.	230
Assigned to standing committee	292
Read the second time and placed on Consent Calendar	335
S.B. 93 -- LICENSED DIRECT ENTRY MIDWIFE AMENDMENTS (<i>M. Dayton</i>)	
Read the first time by short title and referred to the Rules Committee.	191
Assigned to standing committee	227

S.B. 94 — BURGLARY OF A RAILROAD CAR (<i>D. Peterson</i>)	
Read the first time by short title and referred to the Rules Committee.	19
Assigned to standing committee	27
Committee report adopted and placed on calendar	96
Read the second time	235
Read the third time	264
Circled	264
S.B. 95 — MARKUP ON ALCOHOLIC BEVERAGES (<i>M. Dmitrich</i>)	
Read the first time by short title and referred to the Rules Committee.	19
Assigned to standing committee	25
Amendments	68
Committee report adopted and placed on calendar	71
Read the second time	146
Read the third time	170
Transmitted to the House	170
S.B. 96 — MULTI-CHANNEL VIDEO OR AUDIO SERVICE TAX ACT AMENDMENTS (<i>W. Niederhauser</i>)	
Read the first time by short title and referred to the Rules Committee.	19
Assigned to standing committee	28
Committee report adopted and placed on calendar	96
Read the second time	233
Read the third time	263
Transmitted to the House	264
S.B. 97 — IMMIGRATION TASK FORCE (<i>S. Jenkins</i>)	
Read the first time by short title and referred to the Rules Committee.	19
S.B. 98 — LICENSING OF SECURITY SERVICES (<i>D. Eastman</i>)	
Read the first time by short title and referred to the Rules Committee.	19
Assigned to standing committee	25
Committee report adopted and placed on calendar	217
Read the second time	363
S.B. 99 — AMENDMENTS TO SALES AND USE TAX EXEMPTION FOR PROSTHETIC DEVICES (<i>W. Niederhauser</i>)	
Read the first time by short title and referred to the Rules Committee.	19
Assigned to standing committee	28
Amendments	94
Committee report adopted and placed on calendar	96
Read the second and third time	234
Transmitted to the House	234
S.B. 100 — MOTOR VEHICLE DEALER DISCLOSURE REQUIREMENTS AMENDMENTS (<i>D. Eastman</i>)	
Read the first time by short title and referred to the Rules Committee.	19
Assigned to standing committee	28
Committee report adopted and placed on calendar	71
Read the second and third time	223
Transmitted to the House	223
S.B. 101 — UTAH COMPREHENSIVE HEALTH INSURANCE POOL FUNDING (<i>G. Davis</i>)	
Read the first time by short title and referred to the Rules Committee.	19
Assigned to standing committee	27
Amendments	69
Committee report adopted and placed on calendar	71
Read the second time	173
Circled	174
S.B. 102 — ANIMAL TORTURE OFFENSE (<i>G. Davis</i>)	
Read the first time by short title and referred to the Rules Committee.	19
Assigned to standing committee	227
S.B. 103 — HIGHER EDUCATION ENHANCEMENTS (<i>D. Stowell</i>)	
Read the first time by short title and referred to the Rules Committee.	20
Assigned to standing committee	26
Committee report adopted and placed on calendar	167
Read the second time	360
S.B. 104 — STATE CAPITAL FACILITY BOARD – CREATION AND OVERSIGHT (<i>D. C. Buttars</i>)	
Read the first time by short title and referred to the Rules Committee.	20
S.B. 105 — JUDICIAL PERFORMANCE EVALUATION COMMISSION (<i>D. C. Buttars</i>)	
Read the first time by short title and referred to the Rules Committee.	20
Assigned to standing committee	27
Committee report adopted and placed on calendar	140
Read the second time	344
Amendments	345
S.B. 106 — JUVENILE CUSTODY MAINTENANCE AMENDMENTS (<i>D. Peterson</i>)	
Read the first time by short title and referred to the Rules Committee.	20
Assigned to standing committee	27
S.B. 107 — STATE RETIREMENT BENEFIT ADDITIONS (<i>B. Goodfellow</i>)	
Read the first time by short title and referred to the Rules Committee.	20
Assigned to standing committee	27

S.B. 108 — OFFSET OF WORKERS' COMPENSATION AND SOCIAL SECURITY (<i>J. Hickman</i>)	
Read the first time by short title and referred to the Rules Committee.	20
Assigned to standing committee	25
Committee report adopted and placed on calendar	217
Read the second time	363
Circled	363
Uncircled	366
S.B. 109 — POLL WORKER NEUTRALITY (<i>S. McCoy</i>)	
Read the first time by short title and referred to the Rules Committee.	20
S.B. 110 — FOREIGN BUSINESS ENTITIES AND TRIBAL LAW (<i>K. VanTassell</i>)	
Read the first time by short title and referred to the Rules Committee.	20
Assigned to standing committee	25
Committee report adopted and placed on calendar	71
Read the second time	146
Read the third time	170
Circled	170
Uncircled	265
Substituted	265
1st Sub. S.B. 110 — FOREIGN BUSINESS ENTITIES AND TRIBAL LAW (<i>K. VanTassell</i>)	
Circled	265
Uncircled	302
Transmitted to the House	302
S.B. 111 — REVISOR'S STATUTE (<i>J. Hickman</i>)	
Read the first time by short title and referred to the Rules Committee.	20
Placed on calendar	24
Read the second and third time	36
Transmitted to the House	36
Signed by the President and transmitted to the Governor	210
S.B. 112 — LEGISLATIVE SPACE IN THE CAPITOL (<i>C. Bramble</i>)	
Read the first time by short title and referred to the Rules Committee.	20
Placed on calendar	24
Read the second and third time	37
Amendments	37
Transmitted to the House	38
Signed by the President and transmitted to the Governor	225
S.B. 113 — ACCESS TO RESEARCH WORKERS' PERSONAL INFORMATION (<i>G. Bell</i>)	
Read the first time by short title and referred to the Rules Committee.	20
Assigned to standing committee	26
Committee report adopted and placed on calendar	140
Read the second time	307
Read the third time	339
Transmitted to the House	340
S.B. 114 — NOTARY PUBLIC REVISION (<i>G. Bell</i>)	
Read the first time by short title and referred to the Rules Committee.	20
Assigned to standing committee	27
Amendments	95
Read the second time	236
Read the third time	264
Transmitted to the House	265
S.B. 115 — MOTOR VEHICLE SAFETY INSPECTION ADVISORY COUNCIL AMENDMENTS (<i>D. Eastman</i>)	
Read the first time by short title and referred to the Rules Committee.	20
Assigned to standing committee	28
Committee report adopted and placed on calendar	71
Read the second and third time	223
Transmitted to the House	224
S.B. 116 — RETIREMENT OFFICE AMENDMENTS (<i>C. Walker</i>)	
Read the first time by short title and referred to the Rules Committee.	20
Assigned to standing committee	27
S.B. 117 — ANIMAL CRUELTY AMENDMENTS (<i>A. Christensen</i>)	
Read the first time by short title and referred to the Rules Committee.	21
Assigned to standing committee	227
S.B. 118 — EDUCATION TRANSPORTATION AMENDMENTS (<i>D. Peterson</i>)	
Read the first time by short title and referred to the Rules Committee.	21
Assigned to standing committee	26
Committee report adopted and placed on calendar	116
Read the second time	306
Read the third time	338
Transmitted to the House	338
S.B. 119 — DEPARTMENT OF CORRECTIONS AMENDMENTS (<i>D. Peterson</i>)	
Read the first time by short title and referred to the Rules Committee.	21

Assigned to standing committee	27
Read the second time and placed on Consent Calendar	97
Read the third time	169
Transmitted to the House	169
S.B. 120 — DEPARTMENT OF CORRECTIONS EMPLOYEE VEHICLE USE (<i>D. Peterson</i>)	
Read the first time by short title and referred to the Rules Committee.....	21
Assigned to standing committee	27
Committee report adopted and placed on calendar	96
Read the second time	237
Read the third time	265
Transmitted to the House	266
S.B. 121 — ACCESS TO QUALIFIED HEALTH CARE PROVIDERS (<i>D. C. Buttars</i>)	
Read the first time by short title and referred to the Rules Committee.....	21
Assigned to standing committee	27
Committee report adopted and placed on calendar	359
S.B. 122 — UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT (<i>L. Hillyard</i>)	
Read the first time by short title and referred to the Rules Committee.....	21
Assigned to standing committee	27
Committee report adopted and placed on calendar	96
Read the second time	237
Read the third time	266
Transmitted to the House	266
S.B. 123 — FILLING VACANCIES IN THE SENATE (<i>J. Hickman</i>)	
Read the first time by short title and referred to the Rules Committee.....	21
Assigned to standing committee	26
Committee report adopted and placed on calendar	96
Read the second time	232
Amendments	232
Read the third time	261
Amendments	261
Transmitted to the House	262
S.B. 124 — SALES AND USE TAX — DEFINITIONS OF PERMANENTLY ATTACHED TO REAL PROPERTY AND TANGIBLE PERSONAL PROPERTY (<i>H. Stephenson</i>)	
Read the first time by short title and referred to the Rules Committee.....	21
Assigned to standing committee	28
Committee report adopted and placed on calendar	96
Read the second time	234
Circled	234
Uncircled	236
Read the third time	265
Transmitted to the House	265
S.B. 125 — HIGH SCHOOL VOTER REGISTRATION (<i>K. VanTassell</i>)	
Read the first time by short title and referred to the Rules Committee.....	21
Assigned to standing committee	26
Committee report adopted and placed on calendar	190
Read the second time	361
S.B. 126 — FILING FEE FOR WRITE-IN CANDIDATES (<i>P. Knudson</i>)	
Read the first time by short title and referred to the Rules Committee.....	21
Assigned to standing committee	26
Read the second time and placed on Consent Calendar	97
Read the third time	168
Transmitted to the House	168
S.B. 127 — UNDERGROUND UTILITIES FACILITIES AMENDMENTS (<i>J. Greiner</i>)	
Read the first time by short title and referred to the Rules Committee.....	21
Assigned to standing committee	28
S.B. 128 — AMENDMENTS TO THE VETERAN'S PROPERTY TAX EXEMPTION (<i>B. Goodfellow</i>)	
Read the first time by short title and referred to the Rules Committee.....	21
Assigned to standing committee	28
Read the second time and placed on Consent Calendar	97
Read the third time	168
Transmitted to the House	169
S.B. 129 — CHANGES TO COUNTY SURVEYOR (<i>K. VanTassell</i>)	
Read the first time by short title and referred to the Rules Committee.....	21
Assigned to standing committee	26
S.B. 130 — UTILITY IMPROVEMENT DISTRICT REVISIONS (<i>K. VanTassell</i>)	
Read the first time by short title and referred to the Rules Committee.....	21
Assigned to standing committee	28
Committee report adopted and placed on calendar	71
Read the second time	224
Read the third time	260
Transmitted to the House	260

S.B. 131 — WAGE WITHHOLDING FOR EMPLOYEE CONTRIBUTIONS (W. Niederhauser)	
Read the first time by short title and referred to the Rules Committee.	22
Assigned to standing committee	25
Committee report adopted and placed on calendar	71
Read the second time	147
Read the third time	171
Transmitted to the House	171
S.B. 132 — CONSUMER CREDIT PROTECTION ACT – ATTORNEY GENERAL POWERS (C. Walker)	
Read the first time by short title and referred to the Rules Committee.	22
Assigned to standing committee	25
Amendments	164
Committee report adopted and placed on calendar	167
Read the second time	349
Amendments	349
S.B. 133 — MEDICAL ASSISTANCE AND MANAGED CARE (G. Bell)	
Read the first time by short title and referred to the Rules Committee.	22
Assigned to standing committee	27
S.B. 134 — RESIDENTIAL MORTGAGE FRAUD ACT (S. Killpack)	
Read the first time by short title and referred to the Rules Committee.	22
Assigned to standing committee	25
Substituted	212
2nd Sub. S.B. 134 — MORTGAGE FRAUD ACT (S. Killpack)	
Committee report adopted and placed on calendar	217
Read the second time	363
Circled	363
Uncircled	367
S.B. 135 — EXTENDING THE SALES AND USE TAX EXEMPTION FOR POLLUTION CONTROL FACILITIES (W. Niederhauser)	
Read the first time by short title and referred to the Rules Committee.	22
Assigned to standing committee	28
Committee report adopted and placed on calendar	96
Read the second and third time	234
Transmitted to the House	235
S.B. 136 — APPORTIONMENT OF BUSINESS INCOME AMENDMENTS (W. Niederhauser)	
Read the first time by short title and referred to the Rules Committee.	22
Assigned to standing committee	25
Amendments	333
Committee report adopted and placed on calendar	334
S.B. 137 — MINERAL PRODUCTION TAX WITHHOLDING AMENDMENTS (W. Niederhauser)	
Read the first time by short title and referred to the Rules Committee.	22
Assigned to standing committee	28
Committee report adopted and placed on calendar	96
Read the second time	235
Uncircled	237
Circled	235 , 237
Uncircled	305
Substituted	305
1st Sub. S.B. 137 — MINERAL PRODUCTION TAX WITHHOLDING AMENDMENTS (W. Niederhauser)	
Read the second and third time	305
Transmitted to the House	306
S.B. 138 — UTAH SUBSTANCE ABUSE AND ANTI-VIOLENCE COORDINATING COUNCIL AMENDMENTS (D. C. Buttars)	
Read the first time by short title and referred to the Rules Committee.	22
Assigned to standing committee	67
Committee report adopted and placed on calendar	140
Read the second time	347
S.B. 139 — UTAH ANTITRUST ACT AMENDMENTS (L. Hillyard)	
Read the first time by short title and referred to the Rules Committee.	22
Assigned to standing committee	67
Read the second time and placed on Consent Calendar	299
S.B. 140 — EDUCATION ADVISORY COUNCILS (P. Jones)	
Read the first time by short title and referred to the Rules Committee.	22
Assigned to standing committee	66
S.B. 141 — WATER CONSERVANCY DISTRICT – SELECTION OF BOARD OF TRUSTEES (W. Niederhauser)	
Read the first time by short title and referred to the Rules Committee.	22
Assigned to standing committee	67
S.B. 142 — HIGH SCHOOL GRADUATION REQUIREMENTS (M. Madsen)	
Read the first time by short title and referred to the Rules Committee.	22
Assigned to standing committee	66
S.B. 143 — INSURANCE FINANCIAL REQUIREMENTS (K. VanTassell)	
Read the first time by short title and referred to the Rules Committee.	22

Assigned to standing committee	66
Committee report adopted and placed on calendar	298
S.B. 144 — PARAMETERS ON GOVERNOR'S ABILITY TO ENTER AGREEMENTS BINDING THE STATE (<i>S. Jenkins</i>)	
Read the first time by short title and referred to the Rules Committee.	46
Assigned to standing committee	67
Committee report adopted and placed on calendar	96
Substituted	215
1st Sub. S.B. 144 — PARAMETERS ON GOVERNOR'S ABILITY TO ENTER AGREEMENTS BINDING THE STATE (<i>S. Jenkins</i>)	
Committee report adopted and placed on calendar	217
Read the second time	270
Read the third time	303
Transmitted to the House	303
S.B. 145 — STATE FAMILY DAY HOLIDAY (<i>J. Hickman</i>)	
Read the first time by short title and referred to the Rules Committee.	46
Assigned to standing committee	67
Committee report adopted and placed on calendar	217
Read the second time	365
S.B. 146 — AMENDMENT TO UNIFORM ANATOMICAL GIFT ACT (<i>L. Hillyard</i>)	
Read the first time by short title and referred to the Rules Committee.	46
Assigned to standing committee	67
Committee report adopted and placed on calendar	116
Read the second time	271
Read the third time	304
Transmitted to the House	304
S.B. 147 — CANDIDATE FILING REQUIREMENTS (<i>P. Knudson</i>)	
Read the first time by short title and referred to the Rules Committee.	46
Assigned to standing committee	67
Committee report adopted and placed on calendar	217
Read the second time	365
Circled	366
S.B. 148 — ENFORCEMENT OF FRONT LICENSE PLATE DISPLAY REQUIREMENT AMENDMENTS (<i>S. Killpack</i>)	
Read the first time by short title and referred to the Rules Committee.	46
Assigned to standing committee	68
Committee report adopted and placed on calendar	298
S.B. 149 — MOTOR VEHICLE LIABILITY POLICY MINIMUM LIMITS (<i>S. Killpack</i>)	
Read the first time by short title and referred to the Rules Committee.	71
Assigned to standing committee	90
Committee report adopted and placed on calendar	167
Read the second time	359
Circled	359
S.B. 150 — CRIMINAL PENALTIES REVISIONS (<i>S. Jenkins</i>)	
Read the first time by short title and referred to the Rules Committee.	71
Assigned to standing committee	91
Amendments	136
Committee report adopted and placed on calendar	140
Read the second time	348
S.B. 151 — TRADEMARK PROTECTION ACT AMENDMENTS (<i>D. Eastman</i>)	
Read the first time by short title and referred to the Rules Committee.	72
Assigned to standing committee	90
Committee report adopted and placed on calendar	217
Read the second time	364
S.B. 152 — PRESUMPTIVE PERSONAL REPRESENTATIVE (<i>G. Bell</i>)	
Read the first time by short title and referred to the Rules Committee.	72
Assigned to standing committee	91
Committee report adopted and placed on calendar	140
Amendments	140
Read the second time	348
S.B. 153 — REVISION TO COUNTY ELECTED OFFICES (<i>G. Bell</i>)	
Read the first time by short title and referred to the Rules Committee.	72
Assigned to standing committee	90
S.B. 154 — PROTECTIVE ORDER – CRIME OF INDUCING BREACH (<i>S. McCoy</i>)	
Read the first time by short title and referred to the Rules Committee.	72
Assigned to standing committee	91
S.B. 155 — PUNITIVE DAMAGES AMENDMENTS (<i>L. Hillyard</i>)	
Read the first time by short title and referred to the Rules Committee.	72
Assigned to standing committee	91
Amendments	190
Read the second time and placed on Consent Calendar	190
Read the third time	299
Transmitted to the House	300

S.B. 156 — UTAH RELOCATION ASSISTANCE ACT AMENDMENTS (<i>L. Hillyard</i>)	
Read the first time by short title and referred to the Rules Committee.	72
Assigned to standing committee	90
Amendments	215
Committee report adopted and placed on calendar	217
Read the second and third time	366
Transmitted to the House	366
S.B. 157 — RIGHTS OF CITIZENS TO CARRY FIREARMS IN DECLARED EMERGENCY (<i>M. Madsen</i>)	
Read the first time by short title and referred to the Rules Committee.	97
Assigned to standing committee	112
S.B. 158 — STATEWIDE RURAL BOARDS AND COMMITTEES (<i>D. Stowell</i>)	
Read the first time by short title and referred to the Rules Committee.	97
Assigned to standing committee	112
Substituted	230
1st Sub. S.B. 158 — GOVERNOR'S RURAL PARTNERSHIP BOARD AND RURAL COORDINATING COMMITTEE AMENDMENTS (<i>D. Stowell</i>)	
Read the third time	337
Transmitted to the House	337
1st Sub. S.B. 158 — STATEWIDE RURAL BOARDS AND COMMITTEES (<i>D. Stowell</i>)	
Read the second time and placed on Consent Calendar	230
S.B. 159 — WORKERS' COMPENSATION AMENDMENTS (<i>D. Eastman</i>)	
Read the first time by short title and referred to the Rules Committee.	97
Assigned to standing committee	112
Committee report adopted and placed on calendar	217
Read the second time	364
S.B. 160 — CANDIDATE REPLACEMENT DEADLINE FOR GENERAL ELECTION (<i>P. Knudson</i>)	
Read the first time by short title and referred to the Rules Committee.	116
Assigned to standing committee	163
Committee report adopted and placed on calendar	229
S.B. 161 — ADVANCE HEALTH CARE DIRECTIVE AMENDMENTS (<i>A. Christensen</i>)	
Read the first time by short title and referred to the Rules Committee.	116
Assigned to standing committee	163
Read the second time and placed on Consent Calendar	218
Read the third time	335
Transmitted to the House	336
S.B. 162 — FEDERAL EDUCATION AGREEMENT REQUIREMENTS (<i>M. Dayton</i>)	
Read the first time by short title and referred to the Rules Committee.	141
Assigned to standing committee	162
S.B. 163 — CERTIFIED PUBLIC ACCOUNTANT LICENSING ACT AMENDMENTS (<i>C. Bramble</i>)	
Read the first time by short title and referred to the Rules Committee.	141
Assigned to standing committee	162
Read the second time and placed on Consent Calendar	299
S.B. 164 — COMPUTER ASSISTED REMOTE HUNTING PROHIBITED (<i>M. Waddoups</i>)	
Read the first time by short title and referred to the Rules Committee.	141
Assigned to standing committee	163
Read the second time and placed on Consent Calendar	218
Read the third time	336
Transmitted to the House	336
S.B. 165 — ALCOHOLIC BEVERAGE SINGLE EVENT PERMITS (<i>S. McCoy</i>)	
Read the first time by short title and referred to the Rules Committee.	141
Assigned to standing committee	162
Committee report adopted and placed on calendar	298
S.B. 166 — NONDISCRIMINATION AMENDMENTS (<i>S. McCoy</i>)	
Read the first time by short title and referred to the Rules Committee.	168
Assigned to standing committee	292
S.B. 167 — ALCOHOLIC BEVERAGES ON ELECTION DAY (<i>S. McCoy</i>)	
Read the first time by short title and referred to the Rules Committee.	168
Assigned to standing committee	211
Amendments	331
Committee report adopted and placed on calendar	334
S.B. 168 — HIGHWAY FUNDING AMENDMENTS (<i>D. Stowell</i>)	
Read the first time by short title and referred to the Rules Committee.	168
Assigned to standing committee	212
Committee report adopted and placed on calendar	298
S.B. 169 — RENEWABLE ENERGY ZONE TASK FORCE (<i>D. Stowell</i>)	
Read the first time by short title and referred to the Rules Committee.	168
Assigned to standing committee	212
Amendments	334
Committee report adopted and placed on calendar	334

S.B. 170 — BOARD OF WATER RESOURCES AMENDMENTS (<i>D. Stowell</i>)	
Read the first time by short title and referred to the Rules Committee.	191
Assigned to standing committee	212
S.B. 171 — REPEAL OF CERTAIN REPORTING BY FINANCIAL INSTITUTIONS (<i>K. VanTassell</i>)	
Read the first time by short title and referred to the Rules Committee.	191
Assigned to standing committee	211
Committee report adopted and placed on calendar	359
S.B. 172 — FUNDING FOR MEDICAID VISION CARE (<i>A. Christensen</i>)	
Read the first time by short title and referred to the Rules Committee.	191
Placed on calendar	194
Read the second and third time	194
Transmitted to the House	195
S.B. 173 — RENEWABLE ENERGY PROVISIONS (<i>S. McCoy</i>)	
Read the first time by short title and referred to the Rules Committee.	191
Assigned to standing committee	228
S.B. 174 — DENTIST AND DENTAL HYGIENIST PRACTICE ACT AMENDMENTS (<i>P. Knudson</i>)	
Read the first time by short title and referred to the Rules Committee.	191
Assigned to standing committee	211
Committee report adopted and placed on calendar	359
S.B. 175 — DEATH CERTIFICATE PROCEDURE AMENDMENTS (<i>J. Greiner</i>)	
Read the first time by short title and referred to the Rules Committee.	195
Assigned to standing committee	227
Amendments	354
Committee report adopted and placed on calendar	359
S.B. 176 — UNEMPLOYMENT INSURANCE CONTRIBUTION RATES AMENDMENTS (<i>H. Stephenson</i>)	
Read the first time by short title and referred to the Rules Committee.	191
Assigned to standing committee	211
Committee report adopted and placed on calendar	359
S.B. 177 — LOCAL GOVERNMENT DISPOSAL OF REAL PROPERTY ACQUIRED BY EXACTION (<i>W. Niederhauser</i>)	
Read the first time by short title and referred to the Rules Committee.	191
Assigned to standing committee	211
Amendments	331
Committee report adopted and placed on calendar	334
S.B. 178 — SENIOR CITIZEN PROPERTY TAX SAFE HARBOR (<i>D. C. Butters</i>)	
Read the first time by short title and referred to the Rules Committee.	218
Assigned to standing committee	228
S.B. 179 — SALVAGE VEHICLE AMENDMENTS (<i>C. Walker</i>)	
Read the first time by short title and referred to the Rules Committee.	218
Assigned to standing committee	228
Amendments	297
Committee report adopted and placed on calendar	298
S.B. 180 — REGENTS' SCHOLARSHIP PROGRAM (<i>L. Hillyard</i>)	
Read the first time by short title and referred to the Rules Committee.	218
Assigned to standing committee	227
S.B. 181 — OFF-HIGHWAY VEHICLE USE ON PUBLIC HIGHWAYS (<i>S. Jenkins</i>)	
Read the first time by short title and referred to the Rules Committee.	218
Assigned to standing committee	228
Amendments	297
Committee report adopted and placed on calendar	298
S.B. 182 — SURVIVAL ACTION UPON INJURY OR DEATH (<i>M. Waddoups</i>)	
Read the first time by short title and referred to the Rules Committee.	218
Assigned to standing committee	227
S.B. 183 — CHILD PORNOGRAPHY AMENDMENT (<i>D. C. Butters</i>)	
Read the first time by short title and referred to the Rules Committee.	218
Assigned to standing committee	293
S.B. 184 — CHILD CARE LICENSING EXEMPTIONS (<i>J. Greiner</i>)	
Read the first time by short title and referred to the Rules Committee.	230
Assigned to standing committee	293
S.B. 185 — ECONOMIC INCENTIVE REVISIONS (<i>L. Hillyard</i>)	
Read the first time by short title and referred to the Rules Committee.	230
Assigned to standing committee	294
S.B. 186 — CUSTODY AND PARENT-TIME FOR NON-PARENTS (<i>L. Hillyard</i>)	
Read the first time by short title and referred to the Rules Committee.	230
Assigned to standing committee	293
S.B. 187 — BAIL IN CAPITAL OFFENSE CASES (<i>J. Greiner</i>)	
Read the first time by short title and referred to the Rules Committee.	231
Assigned to standing committee	293
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